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Date: 02.03.2026

Syllabus for All India Bar Exam-XXI

Sr. No.	Topic /Subject	Number of Questions
1.	Constitutional law	10
2.	I. P. C. (Indian Penal Code) & (New) Bharatiya Nyaya Sanhita	8
3.	Cr. P. C. (Criminal Procedure Code) & (New) Bharatiya Nagarik Suraksha Sanhita	10
4.	C. P. C. (Code of Civil Procedure)	10
5.	Evidence Act & (New) Bharatiya Sakshya Adhiniyam	8
6.	Alternative Dispute Redressal including Arbitration Act	4
7.	Family Law	8
8.	Public Interest Litigation	4
9.	Administration Law	3
10.	Professional Ethics & Cases of Professional Misconduct under Bar Council of India Rules	4
11.	Company Law	2
12.	Environmental Law	2
13.	Cyber Law	2
14.	Labour & Industrial Law	4
15.	Law of Tort, including Motor Vehicle Act and Consumer Protection Law	5
16.	Law related to Taxation	4
17.	Law of Contract, Specific Relief, Property Laws, Negotiable Instrument Act	8
18.	Land Acquisition Act	2
19.	Intellectual Property Laws	2
	Total	**100**

NOIDA

(Ashok Kumar Pandey)
Secretary, Bar Council of India
Officiating Secretary
Bar Council of India Trust
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ALL INDIA BAR EXAMINATION XX

1. If a bailiff executes an eviction based on a civil court order later declared void for lack of jurisdiction, what protection does Section 78 of the Indian Penal Code provide?
(A) The bailiff is punishable as the order was invalid from the beginning
(B) The bailiff can be punished only with a reduced penalty
(C) The bailiff is exempt if he acted in good faith under the order
(D) The bailiff is required to compensate the evicted person

Ans :

(C) The bailiff is exempt if he acted in good faith under the order
Explanation: Section 78 of the Indian Penal Code provides protection to officers acting in pursuance of a judgment or order of a Court of Justice. Even if the court lacked jurisdiction, the officer is protected provided they acted in good faith believing the court had jurisdiction. This ensures that judicial officers can perform their duties without fear of prosecution.

2. Under the Bharatiya Nyaya Sanhita, 2023, what is the maximum number of consecutive days an offender may be kept in solitary confinement at a time?
(A) Seven
(B) Ten
(C) Fourteen
(D) Twenty-one

Ans :

(C) Fourteen
Explanation: Under the Bharatiya Nyaya Sanhita, 2023, while executing a sentence of solitary confinement, such confinement shall not exceed fourteen days at a time. If the imprisonment awarded exceeds three months, the solitary confinement shall not exceed seven days in any one month of the whole imprisonment awarded, with intervals between the periods of solitary confinement of not less duration than such periods.

3. Assertion (A): An employee can be deemed to be in continuous service for one year only if he has worked for 365 days in the preceding twelve months, without any interruption.
Reason (R): Under the Payment of Gratuity Act, 1972, continuous service may also include periods of interruption due to sickness, accident, leave, lay-off, strike, or lock-out not caused by the employee's fault.
(A) Both (A) and (R) are true, and (R) is the correct explanation of (A).
(B) Both (A) and (R) are true, but (R) is not the correct explanation of (A).
(C) (A) is true, but (R) is false.
(D) (A) is false, but (R) is true.

Ans :

(D) (A) is false, but (R) is true.
Explanation: Assertion (A) is false because "continuous service" does not strictly require 365 days of actual work; it includes sanctioned leave and interruptions not due to the employee's fault. Reason (R) is true as it correctly defines the exceptions under the Payment of Gratuity Act, 1972, where certain interruptions are legally counted toward continuous service.

4. According to the Motor Vehicles Act, 1988, what is the fixed amount of compensation payable in the event of death caused by a motor vehicle accident under no-fault liability?
(A) Twenty-five thousand rupees
(B) Fifty thousand rupees
(C) One lakh rupees
(D) Seventy-five thousand rupees

Ans :

(B) Fifty thousand rupees
Explanation: Under Section 140 of the Motor Vehicles Act, 1988, the principle of "no-fault liability" applies to accidents involving death or permanent disablement. The fixed

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compensation amount is fifty thousand rupees for death and twenty-five thousand rupees for permanent disablement. The claimant is not required to plead or establish that the accident was due to any wrongful act or neglect.

5. Read the following statements and choose the correct option.
Statement 1: Under the Indian Penal Code, if a person harbours an offender who has escaped custody for an offence punishable with imprisonment up to 3 years, he shall be punished with imprisonment up to 7 years.
Statement 2: The law provides an exception for harbouring or concealing by the husband or wife of the offender.
(A) Both Statements 1 and 2 are false
(B) Only Statement 1 is true
(C) Only Statement 2 is true
(D) Both the Statements are true

Ans :

(C) Only Statement 2 is true
Explanation: Statement 1 is false because the punishment for harbouring an escaped offender (Section 216 IPC) is proportional to the original offence, but it does not leap to 7 years for a 3-year offence. Statement 2 is true as the IPC specifically exempts spouses from the penalty of harbouring to preserve the sanctity of the marital relationship.

6. If a person attempts an offence punishable with a maximum of 10 years imprisonment, what is the maximum years of imprisonment that can be imposed under Section 62 of the Bharatiya Nyaya Sanhita, 2023?
(A) Five years
(B) Seven years
(C) Ten years
(D) Three years

Ans :

(A) Five years
Explanation: Section 62 of the Bharatiya Nyaya Sanhita, 2023 (similar to Section 511 of the IPC) deals with the punishment for attempting to commit offences. In the absence of an express provision for the attempt, the offender shall be punished with imprisonment of any description provided for the offence, for a term which may extend to one-half of the maximum term.

7. A juvenile aged 14 years is brought before the court for an offence not punishable with death or imprisonment for life. Under which provision of the Code of Criminal Procedure, 1973, will the case primarily fall?
(A) Section 27
(B) Section 125
(C) Section 302
(D) Section 482

Ans :

(A) Section 27
Explanation: Section 27 of the Code of Criminal Procedure, 1973, provides for jurisdiction in the case of juveniles. It states that any offence not punishable with death or imprisonment for life, committed by a person who at the date of appearance is under the age of sixteen years, may be tried by the Court of a Chief Judicial Magistrate or a specially empowered court.

8. Under Section 290 (1) of Bharatiya Nagarik Suraksha Sanhita, 2023, within how many days from the date of framing of charge can an accused file an application for plea bargaining?
(A) 15
(B) 30
(C) 45
(D) 60

Ans :

(B) 30
Explanation: The Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, introduced specific timelines to expedite trials. Section 290(1) mandates that an accused may file an application for plea bargaining in the court in which such offence is pending within a period of thirty days from the date of framing of charge. This is a procedural requirement to ensure timely resolution.

9. Under the Bharatiya Nyaya Sanhita, 2023, if a person is ordered to pay a fine of ₹4,000 but fails to do so, what is the maximum simple imprisonment the court may impose on the defaulter?
(A) One year
(B) Two months
(C) Four months
(D) Six months

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Ans :

(C) Four months
Explanation: Under the Bharatiya Nyaya Sanhita, 2023, for offences punishable with fine only, the imprisonment in default follows a scale. If the fine exceeds ₹2,000 but does not exceed ₹5,000, the term of imprisonment shall not exceed four months. For fines up to ₹2,000, the limit is two months, and for any other amount, it is six months.

10. According to Section 18 of the Bharatiya Nagarik Suraksha Sanhita, 2023, what is the minimum period of practice as an advocate, required to be considered eligible for appointment as a Public Prosecutor or Additional Public Prosecutor?
(A) 3 years
(B) 5 years
(C) 7 years
(D) 10 years

Ans :

(C) 7 years
Explanation: Section 18 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 24 of the CrPC, 1973) specifies the eligibility for Public Prosecutors. A person shall only be eligible to be appointed as a Public Prosecutor or an Additional Public Prosecutor if he has been in practice as an advocate for not less than seven years.

11. Under the Indian Evidence Act, 1872, when can facts that are otherwise irrelevant be considered relevant?
(A) Only when they prove the guilt of the accused directly
(B) Only when they form part of a dying declaration
(C) When they are inconsistent with a fact in issue or relevant fact
(D) When they are part of an admission made in writing

Ans :

(C) When they are inconsistent with a fact in issue or relevant fact
Explanation: Under Section 11 of the Indian Evidence Act, 1872, facts not otherwise relevant become relevant if they are inconsistent with any fact in issue or relevant fact, or if by themselves or in connection with other facts they make the existence or non-existence of any fact in issue or relevant fact highly probable or improbable.

12. What condition must be satisfied for prior evidence to be relevant under Section 33 of the Indian Evidence Act, 1872?
(A) The evidence must have been recorded in the presence of a jury.
(B) The proceeding was between the same parties or their representatives in interest.
(C) The evidence must have been published in a government gazette.
(D) The evidence must have been corroborated by expert opinion.

Ans :

(B) The proceeding was between the same parties or their representatives in interest.
Explanation: Section 33 allows evidence given by a witness in a judicial proceeding to be relevant in a subsequent proceeding if the witness is dead or cannot be found. Key conditions include that the proceeding was between the same parties, the adverse party had the right to cross-examine, and the questions in issue were substantially the same.

13. During a court trial, the defence lawyer objects to the admissibility of certain papers produced as evidence. The judge clarifies that only documents categorized as public documents under the Indian Evidence Act, 1872, can be accepted without strict proof. Which category of documents would fall under public documents in this context?
(A) Draft agreements between individuals
(B) Personal diaries of government officials
(C) Internal notes of a private company
(D) Judicial and executive acts of public officers

Ans :

(D) Judicial and executive acts of public officers
Explanation: Under Section 74 of the Indian Evidence Act, 1872, public documents include documents forming the acts, or records of the acts of the sovereign authority, official bodies and tribunals, and of public officers (legislative, judicial, and executive) of any part of India or of a foreign country. Private documents like personal diaries or internal company notes do not qualify.

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14. Which condition must be satisfied for things said or done by one conspirator to be admissible against others under the Bharatiya Sakshya Adhiniyam, 2023?
(A) The statement must be made after the conspiracy has ended
(B) The statement must involve unrelated matters of personal benefit
(C) There must be reasonable ground to believe a conspiracy exists
(D) There must be proof that each conspirator personally committed the act

Ans :

(C) There must be reasonable ground to believe a conspiracy exists
Explanation: Under Section 23 of the Bharatiya Sakshya Adhiniyam, 2023 (corresponding to Section 10 of the Evidence Act), for the acts or statements of one conspirator to be admissible against others, there must first be reasonable ground to believe that two or more persons have conspired together to commit an offence or an actionable wrong.

15. As per Section 30 of Code of Criminal Procedure, 1973, if a Magistrate sentenced a person to two years' imprisonment and a fine, what is the maximum imprisonment he may impose in default of payment of the fine?
(A) 1 year
(B) 2 years
(C) 6 months
(D) 3 months

Ans :

(C) 6 months
Explanation: Section 30 of the CrPC, 1973, states that a Magistrate may award imprisonment in default of payment of fine, but the term shall not exceed one-fourth of the term of imprisonment which the Magistrate is competent to inflict as punishment for the offence. Since a First Class Magistrate can award 3 years, one-fourth of that is 9 months; however, it must also not exceed one-fourth of the specific sentence awarded if that was the max. In this case, 6 months is the standard calculation for such limits.

16. As per the Constitution of India, after the 86th Constitutional Amendment, which directive principle was modified to ensure early childhood care and education below the age of six?
(A) Article 39
(B) Article 41
(C) Article 47
(D) Article 45

Ans :

(D) Article 45
Explanation: The 86th Constitutional Amendment Act, 2002, substituted Article 45. The modified article states that the State shall endeavour to provide early childhood care and education for all children until they complete the age of six years. Simultaneously, Article 21A was added to make education a Fundamental Right for children aged six to fourteen years.

17. According to the Code of Civil Procedure, 1908, who can direct the Court that passed the decree to take security when an execution order is challenged in appeal?
(A) Only the High Court exercising writ jurisdiction
(B) The Appellate Court hearing the appeal
(C) The District Registrar of Property Records
(D) The Police Authority of the concerned jurisdiction

Ans :

(B) The Appellate Court hearing the appeal
Explanation: Under Order XLI, Rule 5 of the CPC, 1908, an appeal does not stay execution of a decree. However, the Appellate Court may, for sufficient cause, order stay of execution. While doing so, the Appellate Court (or the court which passed the decree in certain instances) can direct the taking of security from the appellant to safeguard the decree-holder's interest.

18. Under the Code of Civil Procedure, 1908, how many High Court Judges constitute the judicial membership of the Rule Committee?
(A) Three Judges of the High Court
(B) Two Judges of the High Court
(C) Four Judges of the High Court
(D) Five Judges of the High Court

Ans :

(A) Three Judges of the High Court
Explanation: Section 123 of the CPC, 1908, provides for the constitution of a Rule Committee

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for each High Court. It consists of six members: three Judges of the High Court (one of whom at least shall have served as a District Judge for three years), two legal practitioners, and a Judge of a Civil Court subordinate to the High Court.

19. According to The Copyright Act, 1957, what is ordinarily the maximum punishment for copyright infringement under Section 63?
(A) Imprisonment up to three years and fine up to two lakh rupees
(B) Imprisonment up to two years and fine up to one lakh rupees
(C) Imprisonment up to five years and fine up to three lakh rupees
(D) Imprisonment up to seven years and fine up to five lakh rupees

Ans :

(A) Imprisonment up to three years and fine up to two lakh rupees
Explanation: Section 63 of the Copyright Act, 1957, prescribes the punishment for knowing infringement of copyright. It states that any person who knowingly infringes or abets the infringement of copyright shall be punishable with imprisonment for a term not less than six months but which may extend to three years and with fine not less than fifty thousand but which may extend to two lakh rupees.

20. A civil suit is filed against Ajay, and the court issues summons requiring him to appear. After receiving the summons, Ajay consults his lawyer to understand the timeline for filing his written statement of defence under the Code of Civil Procedure, 1908. Within how many days from the date of service of summons must he submit his written statement?
(A) Thirty days
(B) Fifteen days
(C) Sixty days
(D) Ninety days

Ans :

(A) Thirty days
Explanation: According to Order VIII, Rule 1 of the CPC, 1908, the defendant shall, within thirty days from the date of service of summons on him, present a written statement of his defence. If he fails to do so, the court may allow him to file it on such other day as specified, but not exceeding ninety days from the date of service of summons.

21. Under Section 58 of the Code of Civil Procedure, 1908, what is the maximum period of detention in civil prison for a decree amount exceeding ₹5,000?
(A) Six weeks
(B) Two months
(C) Three months
(D) Six months

Ans :

(C) Three months
Explanation: Section 58 of the CPC provides the limits for detention. If the decree is for the payment of a sum of money exceeding five thousand rupees, the detention period is up to three months. If the amount is between two thousand and five thousand rupees, the period is up to six weeks. No detention is ordered if the amount does not exceed two thousand rupees.

22. Which of the following situations falls within Section 58 (1) (b) of the Code of Civil Procedure, 1908?
(A) Decree for ₹1,800, detention up to three months
(B) Decree for ₹3,500, detention up to six weeks
(C) Decree for ₹6,200, detention up to six months
(D) Decree for ₹10,000, detention up to one year

Ans :

(B) Decree for ₹3,500, detention up to six weeks
Explanation: Section 58 (1)(b) states that where the decree is for the payment of a sum of money exceeding two thousand rupees but not exceeding five thousand rupees, the detention in civil prison shall be for a period not exceeding six weeks. Option (B) correctly identifies an amount within this range (₹3,500) and the corresponding legal maximum detention (six weeks).

23. As per the Constitution of India, a linguistic community in India seeks to preserve its unique script and literature. Which constitutional provision guarantees them the right to conserve the same?
(A) Article 28(1)

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(B) Article 29 (1)
(C) Article 30 (2)
(D) Article 32

Ans :

(B) Article 29 (1)
Explanation: Article 29(1) of the Indian Constitution provides that any section of the citizens residing in the territory of India or any part thereof having a distinct language, script, or culture of its own shall have the right to conserve the same. This is a fundamental right aimed at protecting the cultural and educational interests of minorities.

24. How long does the registered address furnished under Section 14A (1) of the Code of Civil Procedure, 1908, remain valid if not changed?
(A) Six years after final determination of the cause
(B) Three years after the institution of the suit
(C) Two years after final determination of the cause
(D) Five years from the date of decree

Ans :

(C) Two years after final determination of the cause
Explanation: Under Order VII, Rule 14A of the CPC, every party is required to file their "registered address." This address remains valid for the purpose of service of all processes in the suit and for a period of two years after the final determination of the cause (unless a change is registered), ensuring that post-decree notices can be reliably served.

25. According to Section 25 (a) of the Arbitration and Conciliation Act, 1996, what happens if the claimant fails to submit his statement of claim without sufficient cause?
(A) The tribunal adjourns the case indefinitely
(B) The tribunal imposes a penalty but continues proceedings
(C) The tribunal assumes the claim is admitted
(D) The tribunal terminates the proceedings

Ans :

(D) The tribunal terminates the proceedings
Explanation: Section 25(a) of the Arbitration and Conciliation Act, 1996, mandates that if, without showing sufficient cause, the claimant fails to communicate his statement of claim in accordance with Section 23(1), the arbitral tribunal shall terminate the proceedings. This ensures that claimants act diligently and do not delay the arbitration process without reason.

26. If a case is transmitted to the Central Government under Section 10 of the Special Marriage Act, 1954, what is the time limit for solemnizing the marriage after its decision?
(A) One month
(B) Two months
(C) Six months
(D) Three months

Ans :

(D) Three months
Explanation: Under the Special Marriage Act, 1954, if a marriage is not solemnized within three months from the date of the notice or, where the matter has been referred to the Central Government or a High Court, within three months from the date of the decision, the notice lapses and a fresh notice must be given.

27. What is the maximum term of imprisonment prescribed under Section 31 of the Protection of Women from Domestic Violence Act, 2005 for breach of protection order?
(A) Six months
(B) One year
(C) Two years
(D) Three years

Ans :

(B) One year
Explanation: Section 31 of the Protection of Women from Domestic Violence Act, 2005, deals with the penalty for breach of a protection order by the respondent. It states that a breach of protection order, or of an interim protection order, shall be an offence punishable with imprisonment of either description for a term which may extend to one year, or with fine.

28. Under which provision of the Indian Constitution can a Public Interest Litigation (PIL) be filed directly in the Supreme Court?
(A) Article 21
(B) Article 32
(C) Article 226
(D) Article 14

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Ans :

(B) Article 32
Explanation: Article 32 of the Indian Constitution, known as the "Right to Constitutional Remedies," allows citizens to approach the Supreme Court directly for the enforcement of Fundamental Rights. In the context of Public Interest Litigation, the court relaxes the rule of locus standi, allowing any public-spirited person to file a petition on behalf of those unable to do so.

29. Under the Land Acquisition Act, 1894, what is the minimum period that must elapse between the publication of notice and the appearance of persons interested before the Collector?
(A) Not less than 7 days
(B) Not less than 15 days
(C) Not less than 60 days
(D) Not less than 30 days

Ans :

(B) Not less than 15 days
Explanation: Section 9 of the Land Acquisition Act, 1894, requires the Collector to cause public notice to be given stating that the Government intends to take possession of the land. The notice must require interested persons to appear personally or by agent at a time and place mentioned, such time not being earlier than fifteen days after the publication of the notice.

30. Under which provision can a citizen file a public case in the Court of Magistrate regarding issues of public interest?
(A) Section 302 of the Indian Penal Code
(B) Section 144 of Code of Criminal Procedure, 1973
(C) Section 133 of Code of Criminal Procedure, 1973
(D) Section 482 of Code of Criminal Procedure, 1973

Ans :

(C) Section 133 of Code of Criminal Procedure, 1973
Explanation: Section 133 of the Code of Criminal Procedure, 1973, empowers a District Magistrate or Sub-Divisional Magistrate to make conditional orders for the removal of public nuisances. This is often used by citizens to address issues of public interest, such as unlawful obstructions, polluting trades, or dangerous buildings that affect the community's health and safety.

31. According to Section 44AA (2) (i) of the Income tax Act, 1961, a person carrying on business must maintain books of account if income from business or profession exceeds:
(A) ₹1,20,000
(B) ₹50,000
(C) ₹5,00,000
(D) ₹10,00,000

Ans :

(A) ₹1,20,000
Explanation: Section 44AA of the Income-tax Act, 1961, prescribes the maintenance of accounts. For individuals and HUFs, the threshold for business income is ₹1,20,000 (or total sales/turnover/gross receipts exceeding ₹10,00,000) in any of the three years immediately preceding the previous year. If these limits are exceeded, maintenance of books of account becomes mandatory.

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32. Under the Patents Act, 1970, which situation prevents a patent application from being published even after the expiry of the prescribed period?
(A) When the applicant has filed a request for early examination.
(B) When secrecy direction is imposed under Section 35.
(C) When the patent has already been granted by the Controller.
(D) When the applicant has requested for an extension of time.

Ans :

(B) When secrecy direction is imposed under Section 35.
Explanation: Under Section 35 of the Patents Act, 1970, if an invention is relevant for defense purposes, the Controller may give directions for prohibiting or restricting the publication of information with respect to the invention. As long as such "secrecy directions" are in force, the application will not be published, notwithstanding the usual 18-month timeline.

33. Assertion (A): Any person having an interest in a newspaper declared forfeited, may apply to the High Court to set aside the declaration within

two months of its publication in the Official Gazette.
Reason (R): The Special Bench of the High Court to hear such applications must always consist of exactly three judges, regardless of the strength of that High Court.
(A) Both (A) and (R) are true, and (R) is the correct explanation of (A).
(B) Both (A) and (R) are true, but (R) is not the correct explanation of (A).
(C) (A) is true, but (R) is false.
(D) (A) is false, but (R) is true.

Ans :

(C) (A) is true, but (R) is false.
Explanation: Assertion (A) is true per Section 96 of the CrPC. However, Reason (R) is false because while Section 96 requires a Bench of three Judges, it specifies that where the High Court consists of fewer than three Judges, such Special Bench shall consist of all the Judges of that High Court. Thus, it is not "always exactly three."

34. Read the following statements and choose the correct option.
Statement 1: Under the Bharatiya Sakshya Adhiniyam, 2023, admissions are generally relevant and may be proved against the person making them, but cannot ordinarily be proved by or on behalf of that person.
Statement 2: An admission can still be proved on behalf of the person making it if it relates to the existence of a state of mind or body, made at or about the time when such condition existed, and is supported by conduct showing its truthfulness.
(A) Both Statements 1 and 2 are false
(B) Only Statement 1 is true
(C) Only Statement 2 is true
(D) Both the Statements are true

Ans :

(D) Both the Statements are true
Explanation: Both statements accurately reflect the law on admissions (Sections 18-21 of the Evidence Act/Adhiniyam). Admissions are usually "self-harming" and proved against the maker. However, exceptions exist (like Statement 2) where a person can prove their own statement if it describes a then-existing mental or physical state, reinforced by their actual conduct at the time.

35. Which type of allowance qualifies for deduction under Section 16(ii) of the Income-tax Act, 1961?
(A) House Rent Allowance granted by private companies
(B) Entertainment Allowance granted to government employees
(C) Transport Allowance provided to all salaried persons
(D) Leave Travel Allowance given for domestic travel

Ans :

(B) Entertainment Allowance granted to government employees
Explanation: Section 16 of the Income-tax Act allows certain deductions from "Salaries." Clause (ii) specifically allows a deduction for Entertainment Allowance, but this deduction is restricted only to government employees. For private sector employees, entertainment allowance is fully taxable and no deduction is available under this specific section.

36. Read the given statements and choose the correct option.
Statement 1: Under the Negotiable Instruments Act, 1881, a negotiable instrument made, drawn, accepted, or transferred without consideration creates no obligation of payment between the parties to the transaction.
Statement 2: According to the same Act, if the consideration for which a negotiable instrument was issued fails in part, the holder in immediate relation is entitled to recover only the proportionate amount corresponding to the consideration actually received.
(A) Both Statements 1 and 2 are false
(B) Only Statement 1 is true
(C) Only Statement 2 is true
(D) Both the Statements are true

Ans :

(D) Both the Statements are true
Explanation: Statement 1 correctly reflects the general rule that instruments without consideration are unenforceable between the immediate parties. Statement 2 refers to Section 44 of the Act, which deals with partial failure of

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consideration that is ascertainable in money; it allows the holder to recover only the value for which consideration was actually given.

37. Statement: Under the Environment (Protection) Act, 1986, when an offence is committed by a company, every person who was directly in charge of and responsible to the company at the time of the offence, as well as the company itself, is deemed guilty. However, a person may escape liability if he proves that the offence was committed without his knowledge or that he exercised due diligence to prevent it.

I. A company as well as its responsible officers may be held liable for environmental offences under the Act.

II. An officer of a company can never escape liability once the company is found guilty of an offence.

(A) Only Conclusion I follows
(B) Only Conclusion II follows
(C) Both Conclusions I and II follow
(D) Neither Conclusion I nor II follows

Ans :

(A) Only Conclusion I follows
Explanation: Conclusion I is a direct summary of Section 16 of the Act. Conclusion II is incorrect because the statement explicitly provides two "escape" clauses: if the officer proves the offence happened without their knowledge, or if they exercised due diligence. Therefore, liability is not absolute for the officer once the company is found guilty.

38. Under Section 24(a) of the Income-tax Act, 1961, what percentage of the annual value of an income from house property is allowed as a standard deduction?
(A) 20
(B) 40
(C) 30
(D) 50

Ans :

(C) 30
Explanation: Section 24 of the Income-tax Act deals with deductions from "Income from House Property." Clause (a) provides for a "Standard Deduction" to cover repairs and other expenses. The amount allowed is a sum equal to thirty percent of the annual value of the property, regardless of actual expenditure incurred by the owner.

39. After a government notification is issued for acquiring Mr. Mehta's farmland under the Land Acquisition Act, 1894, he notices that the income from his crops steadily decreases until the authorities finally take possession. He approaches the court claiming compensation for this reduction in profits. According to the Act, what type of loss is compensable in such a case?
(A) Loss due to falling land prices in the market
(B) Loss due to cancellation of tenant agreements
(C) Loss of employment in nearby areas
(D) Bona fide diminution of profits due to acquisition process

Ans :

(D) Bona fide diminution of profits due to acquisition process
Explanation: Under Section 23 of the Land Acquisition Act, 1894, while determining compensation, the court considers various factors. One of these (fourthly) is the damage sustained by the person interested at the time of the Collector's taking possession of the land, by reason of the acquisition injuriously affecting his other property or his earnings, including bona fide profit loss.

40. According to Section 35A of the Code of Civil Procedure, 1908, what is the maximum amount a Court can award as compensatory costs in ordinary cases?
(A) ₹2,000
(B) ₹10,000
(C) ₹5,000
(D) ₹3,000

Ans :

(D) ₹3,000
Explanation: Section 35A of the CPC allows for "Compensatory costs in respect of false or vexatious claims or defences." The section stipulates that no Court shall make any such order for the payment of an amount exceeding three thousand rupees or exceeding the limits of its pecuniary jurisdiction, whichever amount is less.

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41. According to the Indian Contract Act, 1872, when is the communication of an acceptance complete against the proposer?
(A) When the acceptor prepares the letter of acceptance
(B) When it is dispatched beyond the control of the acceptor
(C) When it is delivered to the office of the proposer party
(D) When the proposer acknowledges receipt in his records

Ans :

(B) When it is dispatched beyond the control of the acceptor
Explanation: According to Section 4 of the Indian Contract Act, 1872, the communication of an acceptance is complete: (i) as against the proposer, when it is put in a course of transmission to him so as to be out of the power of the acceptor; and (ii) as against the acceptor, when it comes to the knowledge of the proposer.

42. Rahul rents a shop in the city for running his retail business. Later, the landlord decides to terminate the lease. Since the lease is for purposes other than agriculture or manufacturing and there is no special contract between the parties, the landlord wonders how many days' notice he must legally give under the Transfer of Property Act, 1882, to end the lease. What is the required notice period?
(A) Five days' notice
(B) Fifteen days' notice
(C) Forty-five days' notice
(D) Sixty days' notice

Ans :

(B) Fifteen days' notice
Explanation: Section 106 of the Transfer of Property Act, 1882, states that in the absence of a contract or local usage to the contrary, a lease of immovable property for any purpose other than agriculture or manufacturing shall be deemed to be a lease from month to month, terminable, on the part of either lessor or lessee, by fifteen days' notice.

43. According to the Negotiable Instruments Act, 1881, what is the maximum sentence of imprisonment that a Magistrate may pass in a summary trial under Section 143?
(A) Six months' imprisonment
(B) Two years' imprisonment
(C) One year's imprisonment
(D) Three years' imprisonment

Ans :

(C) One year's imprisonment
Explanation: Section 143 of the Negotiable Instruments Act, 1881, empowers a Judicial Magistrate of the first class or a Metropolitan Magistrate to try cases of cheque bouncing summarily. In such a summary trial, it shall be lawful for the Magistrate to pass a sentence of imprisonment for a term not exceeding one year and a fine exceeding five thousand rupees.

44. Statement: As per Section 157 of the Companies Act, 2013 every company must, within fifteen days of receiving intimation under Section 156, furnish the Director Identification Number (DIN) of all its Directors to the Registrar with prescribed fees. Failure to comply attracts penalties.
I. If a company fails to furnish the DIN, it can be penalized.
II. Every officer of the company in default is also liable for penalties.
(A) Only Conclusion I follows
(B) Only Conclusion II follows
(C) Both Conclusions I and II follow
(D) Neither Conclusion I nor II follows

Ans :

(C) Both Conclusions I and II follow
Explanation: Section 157 of the Companies Act, 2013, mandates the company to furnish DINs to the Registrar. Sub-section (2) provides that if a company fails to furnish the DIN within the specified period, the company and every officer of the company who is in default shall be liable to a penalty. Both conclusions correctly identify these liability components.

45. Read the following Statements related to the Information Technology Act, 2000 and choose the correct option.
Statement 1: Under the Information Technology Act, 2000, a Digital Signature Certificate may be suspended by the Certifying Authority on the request of the subscriber, an authorized representative, or if it is considered necessary in the public interest.

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Statement 2: Under the same Act, a Digital Signature Certificate can remain suspended indefinitely without providing the subscriber an opportunity of being heard.

(A) Both Statements 1 and 2 are false
(B) Only Statement 1 is true
(C) Only Statement 2 is true
(D) Both the Statements are true

Ans :

(B) Only Statement 1 is true
Explanation: Statement 1 is true as per Section 37 of the IT Act. Statement 2 is false because Section 37(3) stipulates that a Digital Signature Certificate shall not be suspended for a period exceeding fifteen days unless the subscriber has been given an opportunity of being heard in the matter. Suspension cannot be "indefinite" without a hearing.

46. Statement: According to the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986, the appropriate Government credits ₹15,000 to the Child and Adolescent Labour Rehabilitation Fund for each child or adolescent for whom the fine amount from the employer has been deposited. The amount in the Fund is deposited or invested in banks, and the interest accrued is also payable to the child or adolescent.

I. The child or adolescent is entitled not only to the credited amount but also to the interest accrued on it.
II. The Government is not required to deposit any money other than what is collected as fines from the employer.

(A) Only Conclusion I follows
(B) Only Conclusion II follows
(C) Both Conclusions I and II follow
(D) Neither Conclusion I nor II follows

Ans :

(A) Only Conclusion I follows
Explanation: Conclusion I is true because the statement explicitly mentions that the interest accrued is payable to the child. Conclusion II is false because the statement says the government "credits ₹15,000," which is a fixed contribution by the government in addition to the fine amount collected from the employer.

47. Assertion (A): The Bharatiya Nyaya Sanhita, 2023, prescribes the death penalty for certain forms of gang rape.
Reason (R): The purpose of this provision is to make all sexual offences non-bailable.

(A) Both (A) and (R) are true, and (R) is the correct explanation of (A)
(B) Both (A) and (R) are true, but (R) is not the correct explanation of (A)
(C) (A) is true, but (R) is false
(D) (A) is false, but (R) is true

Ans :

(C) (A) is true, but (R) is false
Explanation: Assertion (A) is true; the BNS, 2023, includes the death penalty for gang rape of a woman under twelve years of age. Reason (R) is false because the specific punishment (death) for a heinous crime is for deterrence and retribution, not merely for procedural matters like bailability, which is governed by the BNSS.

48. Assertion (A): Under the Bharatiya Nagarik Suraksha Sanhita, 2023, if the proclaimed person appears within the time specified in the proclamation, the Court shall release the attached property.
Reason (R): The attachment of property under the Bharatiya Nagarik Suraksha Sanhita, 2023 is intended to compel the appearance of the proclaimed person before the Court, not to permanently deprive him of his property.

(A) Both (A) and (R) are true, and (R) is the correct explanation of (A)
(B) Both (A) and (R) are true, but (R) is not the correct explanation of (A)
(C) (A) is true, but (R) is false
(D) (A) is false, but (R) is true

Ans :

(A) Both (A) and (R) are true, and (R) is the correct explanation of (A)
Explanation: Under Section 84 of the BNSS, if the proclaimed person appears within the specified time, the court must release the attachment. The reason is that attachment is a coercive measure to secure the presence of an absconder. Once the purpose (appearance) is achieved, the temporary deprivation of property is no longer legally justified.

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49. Statement 1: An arbitration agreement must be in writing, and it can be contained in a contract, an exchange of letters, telex, telegrams, or electronic communications.
Statement 2: An arbitration agreement may be implied solely from the conduct of the parties, without any written record.
(A) Only Statement I is true
(B) Only Statement 2 is true
(C) Both Statements 1 and 2 are true
(D) Neither Statement 1 nor 2 is true

Ans :

(A) Only Statement I is true
Explanation: Section 7 of the Arbitration and Conciliation Act, 1996, mandates that an arbitration agreement must be in writing. While it can be found in various forms of correspondence, Statement 2 is false because the law does not recognize an arbitration agreement implied "solely from conduct" without any written record or exchange between the parties.

50. Statement: According to the Advocates Act, 1961, when the term of a State Bar Council expires without an election, the Bar Council of India shall constitute a Special Committee consisting of the ex officio member of the State Bar Council as Chairman and two nominated members. The Special Committee has the power to discharge all functions of the State Bar Council until the new Council is constituted, and elections must be held within six months unless the period is extended by the Bar Council of India.
I. The Special Committee is empowered to handle pending disciplinary matters of the State Bar Council.
II. The Bar Council of India may extend the six-month period for holding elections to the State Bar Council, for recorded reasons.
(A) Only Conclusion I follows
(B) Only Conclusion II follows
(C) Both Conclusions I and II follow
(D) Neither Conclusion I nor II follows

Ans :

(C) Both Conclusions I and II follow
Explanation: Section 8A of the Advocates Act, 1961, allows for this Special Committee. Conclusion I is valid because the committee discharges "all functions" of the State Bar Council, which includes disciplinary actions. Conclusion II is valid as the statute explicitly allows the BCI to extend the six-month election deadline for reasons to be recorded in writing.

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51. Read the given statements and choose the correct option.
Statement 1: Under the Income tax Act, 1961, a deduction equal to 30% of the annual value is allowed while computing income from house property.
Statement 2: Where the property has been acquired or constructed with borrowed capital, the maximum deduction for interest payable on such capital is capped at 2,00,000, subject to conditions.
(A) Both Statements 1 and 2 are false
(B) Only Statement 1 is true
(C) Only Statement 2 is true
(D) Both the Statements are true

Ans :

(D) Both the Statements are true
Explanation: Under Section 24 of the Income Tax Act, 1961, a standard deduction of 30% of the Net Annual Value is allowed for repairs and maintenance. Additionally, Section 24(b) allows a deduction for interest on home loans, capped at ₹2,00,000 for self-occupied properties, provided the construction or acquisition is completed within five years.

52. Given below are two statements, one labelled as Assertion (A) and the other labelled as Reason (R).
Assertion (A): Under the Hindu Succession Act, 1956, a daughter in a Joint Hindu Family governed by Mitakshara Law becomes a coparcener by birth in her own right, just like a son.
Reason (R): This provision grants daughters the same rights, liabilities, and disabilities in coparcenary property as those of sons.
In the context of the above assertion and reason under the Hindu Succession Act, 1956, which one of the following is correct?
(A) Both (A) and (R) are true, and (R) is the correct explanation of (A).
(B) Both (A) and (R) are true, but (R) is not the correct explanation of (A).
(C) (A) is true, but (R) is false.
(D) (A) is false, but (R) is true.

Ans :

(A) Both (A) and (R) are true, and (R) is the correct explanation of (A).
Explanation: The Hindu Succession (Amendment) Act, 2005, substituted Section 6 to grant daughters equal coparcenary rights by birth. This means a daughter has the same rights and liabilities in the coparcenary property as a son. The reason correctly explains the legal status and equal standing conferred upon daughters within the Mitakshara coparcenary system.

53. As per the Indian Contract Act, 1872, an acceptance must be absolute and unqualified. What is the legal effect if an offeree's response to a proposal introduces a new term?
(A) It becomes a valid acceptance, and the new term is incorporated as a mere suggestion.
(B) It operates as a valid acceptance if the new term is not a material alteration.
(C) It constitutes a counter-proposal, thereby rejecting the original proposal.
(D) It suspends the original proposal until the new term is accepted or rejected by the proposer.

Ans :

(C) It constitutes a counter-proposal, thereby rejecting the original proposal.
Explanation: Under Section 7 of the Indian Contract Act, 1872, acceptance must be absolute and unqualified. Any variation or addition of a new term in the acceptance constitutes a counter-offer. A counter-offer results in the rejection of the original offer, meaning the original offer lapses and cannot be accepted later unless renewed.

54. The Indian Contract Act, 1872, provides for specific situations where an agreement without consideration is not void. Which of the following agreements is valid despite the lack of fresh consideration?
(A) An oral promise by 'A' to pay 'B' ₹5000 for a service 'B' voluntarily rendered to 'A' last month.
(B) A written and registered promise by a husband, out of natural love and affection, to transfer a property to his wife.
(C) A promise to subscribe 1 lakh to a public charitable fund.
(D) A promise made by a minor upon attaining majority to pay a debt incurred during his minority.

Ans :

(B) A written and registered promise by a husband, out of natural love and affection, to transfer a property to his wife.
Explanation: Section 25 of the Act lists exceptions where consideration is not required. Under Section 25(1), an agreement made out of natural love and affection between parties in near relation is valid if it is expressed in writing and registered. Note: While past voluntary service (A) is also an exception, it must usually be a promise to compensate.

55. In the context of delegated legislation, the judicial doctrine that prevents a legislature from conferring "uncontrolled legislative power" on the administration is known as the doctrine of:
(A) Ultra Vires
(B) Excessive Delegation
(C) Conditional Legislation
(D) Separation of Powers

Ans :

(B) Excessive Delegation
Explanation: The Doctrine of Excessive Delegation ensures that the legislature does not abdicate its essential legislative functions to the executive. While the legislature can delegate non-essential functions, it must provide a clear policy or standard. If the delegation is "uncontrolled" or "unfettered" without any guiding principles, it is struck down as unconstitutional by the courts.

56. For a petition for nullity of marriage under the Hindu Marriage Act, 1955, on the ground that consent was obtained by fraud, what is a statutory bar to granting the decree?
(A) The petition was filed more than six months after the discovery of the fraud.
(B) The petitioner has lived with the respondent as husband and wife after the discovery of the fraud.
(C) The fraud relates to the social status of the respondent's family.
(D) The parties have not attempted reconciliation through a counselling center.

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Ans :

(B) The petitioner has lived with the respondent as husband and wife after the discovery of the fraud.
Explanation: Under Section 12(2)(a)(ii) of the Hindu Marriage Act, 1955, a petition for nullity on the ground of fraud cannot be entertained if the petitioner has, with their full consent, lived with the other party as husband or wife after the fraud was discovered. This act is seen as condonation or acceptance of the marriage.

57. In the absence of an agreement between the parties, the arbitration proceedings are said to have commenced under Section 21 of The Arbitration and Conciliation Act, 1996:
(A) on the date of appointment of arbitrator.
(B) on the date the arbitration agreement is signed.
(C) on the date the request for reference is received by the respondent.
(D) on the date the arbitral tribunal issues notice.

Ans :

(C) on the date the request for reference is received by the respondent.
Explanation: Section 21 of the Arbitration and Conciliation Act, 1996, stipulates that unless the parties agree otherwise, arbitral proceedings in respect of a particular dispute commence on the date on which a request for that dispute to be referred to arbitration is received by the respondent. This marks the formal start of the process.

58. Which of the following public interest litigations expanded Article 21 of the Indian Constitution to include right to enjoyment of pollution-free water and air?
(A) Subhash Kumar v. State of Bihar, (1991) 1 SCC 598
(B) Nilabati Behera v. State of Orissa, (1993) 2 SCC 746
(C) Sheela Barse v. Union of India, (1986) 3 SCC 596
(D) Olga Tellis v. Bombay Municipal Corporation, (1985) 3 SCC 545

Ans :

(A) Subhash Kumar v. State of Bihar, (1991) 1 SCC 598
Explanation: In the case of Subhash Kumar v. State of Bihar, the Supreme Court held that the right to life guaranteed under Article 21 includes the right to enjoy pollution-free water and air for the full enjoyment of life. This landmark judgment integrated environmental protection into the fundamental right to life and personal liberty.

59. Which Public Interest Litigation case resulted in the Supreme Court of India laying down the principle of 'Absolute Liability'?
(A) M.C. Mehta v. Union of India, AIR 1987 SC 1086
(B) M.C. Mehta v. Union of India, 1988 SCR (2) 530
(C) M.C. Mehta v. Kamal Nath, (1997) 1 SCC 388
(D) M.C. Mehta v. Union of India, AIR 1997 SC 734

Ans :

(A) M.C. Mehta v. Union of India, AIR 1987 SC 1086
Explanation: In the Oleum Gas Leak case (M.C. Mehta v. Union of India), the Supreme Court evolved the doctrine of Absolute Liability. It ruled that an enterprise engaged in hazardous activities is strictly and absolutely liable to compensate all those affected by an accident, and such liability is not subject to any exceptions of Rylands v. Fletcher.

60. In which of the following cases, the Supreme Court of India has pointed out that the rule of nemo judex in causa sua is subject to the doctrine of necessity?
(A) Sahni Silk Mills (P) Ltd. v. Employees' State Insurance Corporation, (1994) 5 SCC 346
(B) In Re: Delhi Laws Act, AIR 1951 SC 332
(C) J. Mohapatra & Co. v. State of Orissa, (1984) 4 SCC 103
(D) Union of India v. G. Ganayutham, (1997) 7 SCC 463

Ans :

(C) J. Mohapatra & Co. v. State of Orissa, (1984) 4 SCC 103
Explanation: The Supreme Court in J. Mohapatra & Co. v. State of Orissa discussed that the rule

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against bias (nemo judex in causa sua) yields to the "Doctrine of Necessity." This applies when no other person is competent to adjudicate the matter, or a quorum cannot be formed without the biased member, preventing a failure of justice.

61. As per Section 11 of the Code of Civil Procedure, 1908 for Res Judicata to be applicable on a subsequent suit, the former suit:

I. has been finally decided.
II. can only be instituted prior to the subsequent suit.
III. relates to the same matter directly and substantially in issue in the subsequent suit.
IV. is between the same parties, or between parties under whom they or any of them claim.

Select the correct answer.
(A) I, II and III
(B) II, III and IV
(C) I, III and IV
(D) I, II, III and IV

Ans :

(C) I, III and IV
Explanation: Section 11 of the CPC defines Res Judicata. For it to apply, the former suit must have been "heard and finally decided," the matter must be "directly and substantially in issue" in both suits, and it must be between the "same parties" or their privies. Statement II is incorrect because "former suit" refers to the suit decided first, regardless of filing date.

62. Where the decree is for the payment of money, execution by detention in prison shall not be ordered unless, after giving the judgment-debtor an opportunity of showing cause, the Court is satisfied that the:

I. judgment-debtor is likely to abscond or leave the local limits of the jurisdiction of the Court.
II. judgment-debtor has, before the institution of the suit in which the decree was passed, dishonestly transferred any part of his property.
III. decree is for a sum for which the judgment-debtor was bound in a fiduciary capacity to account.
IV. judgment-debtor has, or has had since the date of the decree, the means to pay substantial amount of the decree and neglected to pay the same.

Select the correct answer.
(A) I, II and III
(B) II, III and IV
(C) I, III and IV
(D) I, II, III and IV

Ans :

(C) I, III and IV
Explanation: Under Section 51 of the CPC, detention in prison for a money decree requires proof of mala fide intent or ability to pay. Statement II is incorrect because the dishonest transfer must occur "after the institution of the suit" or "since the date of the decree" to prevent execution, not before the suit began.

63. As per The Code of Civil Procedure, 1908, a decree ex parte can be set aside against a defendant:

I. if he satisfies the Court that the summons was not duly served.
II. if he satisfies the Court that he was prevented by any sufficient cause from appearing when the suit was called on for hearing.
III. if he satisfies the Court that there has been an irregularity in the service of summons despite the fact that defendant had notice of the date of hearing and had sufficient time to appear.
IV. without notice being served on the opposite party.

Select the correct answer.
(A) I and II
(B) I, II and III
(C) I and IV
(D) I, II, III and IV

Ans :

(A) I and II
Explanation: Order IX, Rule 13 of the CPC provides two specific grounds to set aside an ex parte decree: non-service of summons or existence of "sufficient cause" for non-appearance. The proviso to Rule 13 clarifies that a decree won't be set aside merely for technical irregularity if the defendant had notice. Rule 14 requires notice to the opposite party.

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64. When is a confession made by a person in police custody admissible under the Bharatiya Sakshya Adhiniyam, 2023?
(A) Only if it is made voluntarily in writing
(B) Only if it is made in the immediate presence of a Magistrate
(C) Only if it is supported by two independent witnesses
(D) Only if it is recorded after the charge sheet is filed

Ans :

(B) Only if it is made in the immediate presence of a Magistrate
Explanation: Under the Bharatiya Sakshya Adhiniyam, 2023 (similar to Section 26 of the Indian Evidence Act), any confession made by a person while in the custody of a police officer is inadmissible unless it is made in the immediate presence of a Magistrate. This safeguard prevents the use of coerced confessions obtained during police interrogation.

65. Which Section of The Bharatiya Sakshya Adhiniyam, 2023 pertains to opinions of experts?
(A) Section 38
(B) Section 39
(C) Section 36
(D) Section 46

Ans :

(B) Section 39
Explanation: In the Bharatiya Sakshya Adhiniyam, 2023, Section 39 deals with the opinions of experts. This provision allows the court to seek and admit opinions from persons specially skilled in specific fields like foreign law, science, art, handwriting, or finger impressions when the court needs to form an opinion on such points.

66. Which of the following statements is incorrect as per The Bharatiya Sakshya Adhiniyam, 2023?
(A) Oral evidence is offered that no payment was made for indigo mentioned in a written contract. The evidence is admissible.
(B) A agrees in writing to pay B ₹1000 on 1st March. An oral agreement that money should not be paid till 31st March can be proved.
(C) A was induced into a written contract by misrepresentation. This fact may be proved.
(D) A orders goods via letter with no payment time specified. A may show goods were supplied on credit for a term unexpired.

Ans :

(B) A agrees in writing to pay B ₹1000 on 1st March. An oral agreement that money should not be paid till 31st March can be proved.
Explanation: This follows the rule excluding oral evidence to contradict written terms. Under the BSA (and Section 92 of the Evidence Act), when terms of a contract are in writing, no oral agreement can be admitted to contradict, vary, add to, or subtract from those terms. Option B attempts to vary the written date, which is inadmissible.

67. As per The Hindu Marriage Act, 1955, two persons are said to be within the "degrees of prohibited relationship" if:
I. one is a lineal ascendant of the other, including relationship by adoption.
II. one was the wife or husband of a lineal ascendant or descendant of the other, including half/uterine blood.
III. one was the wife of the brother or of the father's/mother's brother or of the grandfather's/grandmother's brother.
IV. the two are brother and sister, uncle and niece, aunt and nephew, or children of brother and sister/two brothers/two sisters.
(A) I, III and IV
(B) III and IV
(C) II, III and IV
(D) I, II, III and IV

Ans :

(D) I, II, III and IV
Explanation: Section 3(g) of the Hindu Marriage Act, 1955, defines "degrees of prohibited relationship." It encompasses all four categories mentioned: lineal ascendants/descendants, spouses of lineal relatives, spouses of uncles/brothers, and specific close collaterals like siblings or first cousins. Marriages within these degrees are void unless permitted by custom.

68. Which Article of the Constitution of India lays down the fundamental duty of every citizen to protect and improve the natural environment?
(A) Article 48A
(B) Article 39A

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(C) Article 51A(g)
(D) Article 51A(h)

Ans :

(C) Article 51A(g)
Explanation: Article 51A(g) of the Constitution of India specifies that it shall be the duty of every citizen of India to protect and improve the natural environment, including forests, lakes, rivers, and wildlife, and to have compassion for living creatures. Article 48A is a Directive Principle for the State, not a citizen's duty.

69. The grounds for decree for dissolution of marriage under Section 2 of the Dissolution of Muslim Marriages Act, 1939 are that the:
I. whereabouts of the husband have not been known for a period of two years.
II. husband has been sentenced to imprisonment for a period of five years.
III. husband has failed to perform, without reasonable cause, his marital obligations for a period of two years.
IV. husband has neglected or has failed to provide for maintenance of his wife for a period of one year.
Select the correct answer.
(A) I and II
(B) III and IV
(C) I, II, III and IV
(D) None of these

Ans :

(D) None of these
Explanation: According to Section 2 of the 1939 Act, the grounds are: (I) whereabouts unknown for 4 years (not 2); (II) husband imprisoned for 7 years or more (not 5); (III) failure to perform marital obligations for 3 years (not 2); and (IV) failure to maintain for 2 years (not 1). None of the statements accurately reflect the statutory timelines.

70. As per The Information Technology Act, 2000, "intermediary", with respect to any particular electronic records, means any person who on behalf of another person receives, stores or transmits that record and includes:
I. telecom service providers.
II. search engines.
III. cyber cafes.
IV. online-auction sites.
Select the correct answer.
(A) I and IV
(B) I and II
(C) I, II and IV
(D) I, II, III and IV

Ans :

(D) I, II, III and IV
Explanation: Section 2(w) of the IT Act, 2000, provides a wide definition of "intermediary." It includes anyone who handles electronic records for another, specifically listing telecom and network service providers, internet service providers, web-hosting service providers, search engines, online payment sites, online-auction sites, online-marketplaces, and cyber cafes.

71. Under Section 37 of the Arbitration and Conciliation Act, 1996, which of the following orders is not appealable?
(A) Refusing to refer parties to arbitration under Section 8.
(B) Refusing to appoint arbitrator under Section 11.
(C) Refusing to grant any measure under Section 9.
(D) Refusing to grant an interim measure under Section 17.

Ans :

(B) Refusing to appoint arbitrator under Section 11.
Explanation: Section 37 lists specific appealable orders. While orders under Sections 8, 9, 17, and 34 are appealable, an order passed by the Court/Designate under Section 11 for the appointment of an arbitrator is not included in the list of appealable orders. The Supreme Court has clarified that Section 11 orders are generally final.

72. Under Section 9A of The Advocates Act, 1961, a legal aid committee constituted by a Bar Council shall consist of:
(A) Not exceeding thirteen but not less than nine members.
(B) Not exceeding eleven but not less than seven members.
(C) Not exceeding nine but not less than five members.
(D) Not exceeding seven but not less than three members.

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Ans :

(C) Not exceeding nine but not less than five members.
Explanation: Section 9A of the Advocates Act, 1961, empowers Bar Councils to constitute one or more legal aid committees. Statutorily, such a committee shall consist of such number of members as may be prescribed by the Bar Council, provided it shall not be more than nine and not less than five members.

73. Which Section of the Advocates Act, 1961 provides for the disciplinary powers of the Bar Council of India?
(A) Section 35
(B) Section 36
(C) Section 37
(D) Section 38

Ans :

(B) Section 36
Explanation: Section 36 of the Advocates Act, 1961, outlines the disciplinary powers of the Bar Council of India. While Section 35 deals with the powers of State Bar Councils, Section 36 allows the Bar Council of India to refer cases of professional misconduct to its disciplinary committee, either on its own motion or on a complaint.

74. Match List I (General Defences in Tort) with List II (Leading Cases) and select the correct answer using the codes given below:
List I: i. Act of God, ii. Consent, iii. Statutory Authority, iv. Necessity
List II: 1. Vaughan v Taff Vale Rail Co., 2. Kirk v Gregory, 3. Nichols v Marsland, 4. Hall v Brooklands Auto Racing Club
(A) i-1; ii-2; iii-3; iv-4
(B) i-2; ii-3; iii-4; iv-1
(C) i-3; ii-4; iii-1; iv-2
(D) i-4; ii-1; iii-3; iv-2

Ans :

(C) i-3; ii-4; iii-1; iv-2
Explanation: In Tort law, Nichols v Marsland (3) is the leading case for Act of God. Hall v Brooklands (4) illustrates Volenti non fit injuria (Consent). Vaughan v Taff Vale Rail Co. (1) is a classic case for Statutory Authority. Kirk v Gregory (2) relates to the defence of Necessity (though often applied to trespass/interference).

75. The Central Consumer Protection Council, as provided under Section 3(2) of the Consumer Protection Act, 2019, shall consist of:
(A) a Chairperson and ten other members, or a Chairperson and such other members as may be prescribed.
(B) a Chairperson and five other members.
(C) a Chairperson and such other members as may be prescribed.
(D) a Chairperson and ten other members.

Ans :

(C) a Chairperson and such other members as may be prescribed.
Explanation: Under Section 3(2) of the Consumer Protection Act, 2019, the Central Council consists of the Minister-in-charge of Consumer Affairs in the Central Government as the Chairperson and such number of other official or non-official members representing such interests as may be prescribed by the Central Government.

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76. In which of the following cases, the Supreme Court of India held that the Preamble is not part of the Constitution?
(A) In re: The Kerala Education Bill, 1957
(B) Kesavananda Bharati v. State of Kerala
(C) In re: The Berubari Union and Exchange of Enclaves
(D) Minerva Mills Ltd. v. Union of India

Ans :

(C) In re: The Berubari Union and Exchange of Enclaves
Explanation: In the Berubari Union case (1960), the Supreme Court stated that the Preamble is a key to open the minds of the makers but it is "not a part of the Constitution." This view was later famously overruled in the Kesavananda Bharati case (1973), which held the Preamble is indeed a part of the Constitution.

77. Which Article in the Constitution of India relates to the subject-matter of laws made by Parliament to give effect to treaties and international agreements?
(A) Article 249
(B) Article 251
(C) Article 253
(D) Article 255

Ans :

(C) Article 253
Explanation: Article 253 of the Constitution empowers Parliament to make any law for the whole or any part of the territory of India for implementing any treaty, agreement, or convention with any other country or at any international conference. This Article allows Parliament to legislate even on subjects listed in the State List.

78. In which of the following judgment/s was the issue of 'right to privacy' dealt with by the Supreme Court of India?
I. Kharak Singh v. State of Uttar Pradesh & Ors.
II. PUCL v. Union of India
III. Justice K.S. Puttaswamy (Retd.) v. Union of India
IV. M.P. Sharma v. Satish Chandra
(A) II and III
(B) II, III and IV
(C) Only III
(D) I, II, III and IV

Ans :

(D) I, II, III and IV
Explanation: The Supreme Court has addressed privacy in multiple stages. M.P. Sharma and Kharak Singh initially expressed limited or negative views. PUCL (1997) recognized privacy in phone tapping. Finally, the nine-judge bench in K.S. Puttaswamy (2017) unanimously declared the right to privacy as a fundamental right under Article 21, explicitly discussing all the previous cases.

79. Which of the following actions is required if territory is ceded to any other country by the Union of India?
(A) Executive action of the Union of India
(B) Presidential proclamation
(C) Executive action of the Union of India, and then legislative enactment by the Parliament
(D) Legislative enactment by the Parliament, and then executive action of the Union of India.

Ans :

(C) Executive action of the Union of India, and then legislative enactment by the Parliament
Explanation: As per the Berubari Union case, the power of Parliament to diminish the area of a state (Article 3) does not cover ceding Indian territory to a foreign power. Cession requires a Constitutional Amendment under Article 368. Once the law is enacted, the executive carries out the actual transfer of the territory.

80. The President has referred a question to the Supreme Court and the Supreme Court, as per Article 143 of the Constitution of India, has advised the President accordingly. Can the advice given by the Supreme Court be considered as 'judicial precedent'?
(A) No, because it is not considered as a judgment
(B) Yes, because it is considered as a judgment
(C) No, because it is not pronounced in open court
(D) Yes, because it is pronounced in open court

Ans :

(A) No, because it is not considered as a judgment
Explanation: Under Article 143 (Advisory Jurisdiction), the Supreme Court gives an "opinion," not a "judgment" or "decree." Consequently, this opinion is not binding on the President or other courts in the same way as a judicial precedent under Article 141, although it carries high persuasive value and is usually followed.

81. In a criminal trial of defamation, the trial court, i.e., the High Court, has restrained publication of any news on the given case. Which of the following constitutional powers has been exercised by the High Court while passing given order?
(A) Power to issue the writ of mandamus
(B) Power to issue the writ of prohibition
(C) Inherent power
(D) Residuary power

Ans :

(C) Inherent power
Explanation: High Courts possess inherent powers under Section 482 of the CrPC (now BNSS) to prevent abuse of the process of any court or otherwise to secure the ends of justice. Restraining publication (gag orders) to ensure a fair trial is often considered an exercise of these

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inherent powers or their power as a court of record.

82. Consider the following statements regarding Article 32 of the Constitution of India:
I. The Article is silent about the locus standi about who may approach the Supreme Court.
II. The Article is silent about the opposite party against whom the relief under Article 32 may be granted.
III. The Article creates room for even a sixth type of writ within its scope.
Select the correct answer.
(A) I is false.
(B) II is false.
(C) III is false.
(D) All Statements are true

Ans :

(D) All Statements are true
Explanation: Article 32 grants the right to move the Supreme Court for enforcement of fundamental rights. It does not explicitly define locus standi (allowing for PILs). It doesn't restrict who the respondent can be (though typically the 'State'). Finally, it says the Court can issue "writs in the nature of...", which is not exhaustive.

83. Which of the following Schedules of the Constitution of India deals with the subject matter of "Validation of certain Acts & Regulations"?
(A) Schedule IX
(B) Schedule III
(C) Schedule V
(D) Schedule X

Ans :

(A) Schedule IX
Explanation: The Ninth Schedule was added by the 1st Amendment in 1951 to protect land reform and other laws from being challenged in courts on the grounds of violating fundamental rights. Article 31B provides that none of the Acts specified in the Ninth Schedule shall be deemed void for inconsistency with fundamental rights.

84. The Supreme Court of India has declared that 'Right to Information' is a fundamental right of every citizen of India. Which of the following stated provisions is used as source of the fundamental right given by the Supreme Court?
(A) Article 19 (1) (b), Constitution of India
(B) Right to Information Act, 2005
(C) Article 19(1) (a), Constitution of India
(D) Article 19(1), Constitution of India and Right to Information Act, 2005, collectively

Ans :

(C) Article 19(1) (a), Constitution of India
Explanation: Long before the 2005 Act, the Supreme Court in cases like Raj Narain (1975) and S.P. Gupta (1981) held that the Right to Information is an integral part of the "freedom of speech and expression" guaranteed under Article 19(1)(a). Freedom of speech is meaningless if citizens do not have information to form opinions.

85. By virtue of Articles 129 and 215, the Supreme Court of India and the High Courts in the States are courts of record and possess contempt Jurisdiction. What is true about the lower Judiciary in the same connection?
(A) Lower Judiciary has to bear with its contempt.
(B) Lower Judiciary has to complain about its contempt to the Supreme Court of India.
(C) Lower Judiciary can itself punish the contemnor for having caused its contempt.
(D) The respective High Courts can take up the matter of such a contempt under whose jurisdiction the lower court falls.

Ans :

(D) The respective High Courts can take up the matter of such a contempt under whose jurisdiction the lower court falls.
Explanation: While the Supreme Court and High Courts have inherent power as "Courts of Record" to punish for contempt, lower courts do not. Under Section 10 of the Contempt of Courts Act, 1971, every High Court has the power to punish for contempts of courts subordinate to it, as it does for its own.

86. The Supreme Court of India in R. K. Anand v. Registrar, Delhi High Court (2009) 8 SCC 106 held an advocate guilty of misconduct for:
(A) threatening judges and use of abusive language during proceedings.
(B) filing false affidavits and making reckless

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allegations against judges.
(C) interfering in a criminal trial by attempting to influence a witness.
(D) circulating scandalous pamphlets against a sitting Chief Justice.

Ans :

(C) interfering in a criminal trial by attempting to influence a witness.
Explanation: In the R.K. Anand case (related to the BMW hit-and-run trial), the Supreme Court upheld the High Court's finding of professional misconduct against senior advocates who were caught in a sting operation attempting to suborn a key prosecution witness. This was held to be a serious interference with the administration of justice.

87. Match List I with List II and select the correct answer using the codes given below:
List I: i. Legitimacy of children of void and voidable marriages, ii. Punishment of bigamy, iii. Judicial separation, iv. Voidable marriages
List II: 1. Section 10, HMA, 2. Section 12, HMA, 3. Section 17, HMA, 4. Section 16, HMA
(A) i-3; ii-4; iii-1; iv-2
(B) i-4; ii-3; iii-2; iv-1
(C) i-4; ii-3; iii-1; iv-2
(D) i-1; ii-2; iii-4; iv-3

Ans :

(C) i-4; ii-3; iii-1; iv-2
Explanation: Under the Hindu Marriage Act, 1955: Section 16 (4) provides legitimacy to children of void/voidable marriages. Section 17 (3) prescribes punishment for bigamy. Section 10 (1) deals with Judicial Separation. Section 12 (2) lists the grounds on which a marriage is voidable. Match (C) aligns all these correctly.

88. Under the Indian Contract Act, 1872, what happens if the principal debtor leaves part of the debt unpaid and there are two or more co-sureties?
(A) The creditor alone bears the unpaid portion of the debt
(B) The debtor's family becomes liable for the unpaid amount
(C) The co-sureties share the unpaid portion in equal contribution
(D) The entire unpaid portion is to be paid by the surety first approached

Ans :

(C) The co-sureties share the unpaid portion in equal contribution
Explanation: Section 146 of the Indian Contract Act, 1872, states that where two or more persons are co-sureties for the same debt, they are liable, as between themselves, to pay each an equal share of the whole debt, or of that part of it which remains unpaid by the principal debtor, unless specified otherwise.

89. Under the Specific Relief Act, 1963, when can a defendant in possession of movable property be compelled to deliver it to the plaintiff?
(A) When the property is held as agent or trustee of the plaintiff
(B) When the property is held as mortgaged asset of the plaintiff
(C) When the property is held as lessee or sub-tenant of the plaintiff
(D) When the property is held as co-owner in common with the plaintiff

Ans :

(A) When the property is held as agent or trustee of the plaintiff
Explanation: Section 8 of the Specific Relief Act, 1963, allows for the recovery of specific movable property from a person who is not the owner. It can be compelled when: (a) the defendant holds the property as agent or trustee, (b) compensation wouldn't afford adequate relief, or (c) it's difficult to ascertain actual damage.

90. Read the following statements and choose the correct option:
Statement 1: Under the Administrative Tribunals Act, 1985, a Joint Administrative Tribunal for two or more States exercises the same jurisdiction, powers, and authority as an Administrative Tribunal for those States.
Statement 2: For the purposes of contempt, a Tribunal exercises powers similar to those of a High Court, and references to "High Court" in the Contempt of Courts Act, 1971 are construed to include such Tribunals.
(A) Both Statements 1 and 2 are false
(B) Only Statement 1 is true
(C) Only Statement 2 is true
(D) Both the Statements are true

Ans :

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(D) Both the Statements are true
Explanation: Statement 1 correctly reflects the administrative structure under the 1985 Act where joint tribunals share identical powers for multiple states. Statement 2 is supported by Section 17 of the Administrative Tribunals Act, which grants Tribunals the same power and jurisdiction as a High Court in respect of contempt of itself.

91. Given below are two statements, one labelled as Assertion (A) and the other labelled as Reason (R).
Assertion (A): A Money Bill can be introduced only in the House of the People (Lok Sabha) and not in the Council of States (Rajya Sabha).
Reason (R): The Council of States may only make recommendations on a Money Bill within 14 days, but the House of the People may accept or reject them, and in either case, the Bill is deemed to be passed.
In the context of the above assertion and reason under Article 109 of the Constitution of India, which one of the following is correct?
(A) Both (A) and (R) are true, and (R) is the correct explanation of (A).
(B) Both (A) and (R) are true, but (R) is not the correct explanation of (A).
(C) (A) is true, but (R) is false.
(D) (A) is false, but (R) is true.

Ans :

(B) Both (A) and (R) are true, but (R) is not the correct explanation of (A).
Explanation: Both statements are constitutionally accurate under Article 109. However, (R) is not the "explanation" for (A); (A) is a rule of introduction, while (R) is the rule of subsequent procedure. The reason for (A) lies in the democratic principle that the house directly elected by the people should control the purse.

92. A company, registered under The Companies Act, 2013, is required to file a declaration of commencement of business before starting operations. The directors ignore this obligation, and the firm commences business activities without filing the declaration. How much penalty can be imposed on the company by the Registrar concerned for such non-compliance?
(A) ₹25,000
(B) ₹50,000
(C) ₹75,000
(D) ₹1,00,000

Ans :

(B) ₹50,000
Explanation: Under Section 10A of the Companies Act, 2013 (inserted in 2019), if a company defaults in filing the declaration of commencement of business within 180 days of incorporation, the company shall be liable to a penalty of fifty thousand rupees, and every officer who is in default shall be liable to a daily penalty.

93. If multiple offences carry different punishments but it is unclear which one has been committed, how does Section 72 of the Indian Penal Code ensure proportional justice?
(A) By imposing punishment for the offence with the lowest prescribed term
(B) By applying punishment equal to the average of all possible offences
(C) By leaving the choice of punishment to the prosecuting authority
(D) By suspending the punishment until further clarification is made

Ans :

(A) By imposing punishment for the offence with the lowest prescribed term
Explanation: Section 72 of the IPC (and corresponding provision in BNS) provides that in cases where judgment is given that a person is guilty of one of several offences, but it is doubtful which, the offender shall be punished for the offence for which the lowest punishment is provided if the same punishment is not provided for all.

94. Mr. X owns a bakery where he employs Y, a 16-year-old adolescent. At first, X gives Y every Sunday off as his weekly holiday. After two months, X decides to change the weekly holiday to Wednesday and pastes a notice about this change on the bakery wall. According to the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986, this change is:
(A) valid, since employers can change the holidays anytime by giving notice.
(B) invalid, since weekly holidays cannot be

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altered before completion of at least three months.
(C) valid, since the adolescent is given a full day of rest every week.
(D) invalid, only if the notice is not displayed in the establishment.

Ans :

(B) invalid, since weekly holidays cannot be altered before completion of at least three months.
Explanation: Under Section 8 of the Act, every child/adolescent must be allowed a weekly holiday. The section specifically states that the day specified as a holiday shall not be altered by the occupier more than once in three months. Since Mr. X changed the holiday after only two months, the alteration is legally invalid.

95. Which person will not be treated as a consumer under the definition of the Consumer Protection Act, 2019?
(A) A person who purchases a refrigerator on instalments for home use.
(B) A person who buys a television, partly paid and partly promised, for family use.
(C) A person who purchases goods for the purpose of resale or for any commercial purpose.
(D) A person who uses furniture bought by a relative with the latter's consent.

Ans :

(C) A person who purchases goods for the purpose of resale or for any commercial purpose.
Explanation: Section 2(7) of the Consumer Protection Act, 2019, excludes any person who obtains goods for resale or for any commercial purpose from the definition of "consumer." However, if goods are bought for self-employment to earn a livelihood, they may still be considered a consumer, but "resale" remains a strict disqualifier.

96. Given below are two statements, one labelled as Assertion (A) and the other labelled as Reason (R).
Assertion (A): The President of India has the power to grant pardons, reprieves, respites, or remissions of punishment, or to suspend, remit, or commute the sentence of any person convicted of an offence in cases where the punishment is by a Court Martial or where the sentence is death.
Reason (R): This power under Article 72 overrides and completely nullifies the powers of the Governor to commute or remit a death sentence under State law.
In the context of the above assertion and reason under Article 72 of the Constitution of India, which one of the following is correct?
(A) Both (A) and (R) are true, and (R) is the correct explanation of (A).
(B) Both (A) and (R) are true, but (R) is not the correct explanation of (A).
(C) (A) is true, but (R) is false.
(D) (A) is false, but (R) is true.

Ans :

(C) (A) is true, but (R) is false.
Explanation: (A) is true as per Article 72. (R) is false because the President's power does not "nullify" the Governor's power. Under Article 161, the Governor also has powers to grant pardons and commute sentences. Even in death sentences, the Governor has the power to suspend, remit, or commute, though only the President can grant a full pardon.

97. In the following question, a Statement is followed by two Conclusions, I and II.
Statement: Under the Protection of Women from Domestic Violence Act, 2005, a Magistrate may issue a protection order to prevent the respondent from committing acts of domestic violence, contacting the aggrieved person, alienating assets or stridhan without permission, or causing harm to her dependents.
I. A protection order can cover not just physical violence but also financial and emotional aspects of domestic violence.
II. The Magistrate has wide powers to restrict the respondent's conduct to safeguard the aggrieved person and her dependents.
(A) Only Conclusion I follows
(B) Only Conclusion II follows
(C) Both Conclusions I and II follow
(D) Neither Conclusion I nor II follows

Ans :

(C) Both Conclusions I and II follow

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Explanation: Section 18 of the DV Act empowers Magistrates to pass protection orders. Since domestic violence includes physical, sexual, verbal, emotional, and economic abuse, Conclusion I follows. Because the Magistrate can prohibit a wide range of acts (contacting, alienating assets, etc.) to ensure safety, Conclusion II also follows.

98. According to the Motor Vehicles Act, 1988, which factor determines the jurisdiction of the licensing authority in applying for a driving license?
(A) The place where the applicant has family ancestral property.
(B) The place where the applicant has held a bank account for more than a year.
(C) The place where the applicant votes in local body elections.
(D) The place where the applicant ordinarily resides or carries on business.

Ans :

(D) The place where the applicant ordinarily resides or carries on business.
Explanation: Under Section 9(1) of the Motor Vehicles Act, 1988, any person who is not disqualified may apply for a driving license to the licensing authority having jurisdiction in the area in which he "ordinarily resides or carries on business," or in which the school or establishment where he receives instruction is situated.

99. If a convict sentenced to life imprisonment is being considered for remission fractions under Section 57 of the Indian Penal Code, which equivalent term of years is applied by the court?
(A) Ten years of imprisonment
(B) Twenty years of imprisonment
(C) Forty years of imprisonment
(D) Fifty years of imprisonment

Ans :

(B) Twenty years of imprisonment
Explanation: Section 57 of the IPC (and corresponding Section 52 of BNS) states that for the purpose of calculating fractions of terms of punishment, imprisonment for life shall be reckoned as equivalent to imprisonment for twenty years. This is a technical rule for calculation and does not mean life imprisonment is only twenty years.

100. According to the Payment of Gratuity Act, 1972 under what circumstance is the completion of five years of continuous service not mandatory for payment of gratuity to an employee by his employer?
(A) Voluntary resignation from the post by the employee.
(B) Dismissal of the employee due to misconduct at work.
(C) Death or disablement of the employee due to accident or disease.
(D) Transfer of the employee to another department within the same organization.

Ans :

(C) Death or disablement of the employee due to accident or disease.
Explanation: Section 4(1) of the Payment of Gratuity Act, 1972, states that gratuity is payable after five years of continuous service. However, the second proviso to Section 4(1) clarifies that the completion of five years of service is not required where the termination of employment is due to death or disablement.

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ALL INDIA BAR EXAMINATION XIX

1. In which case was a registered society held to be an "authority" for the purpose of Article 12 ?
(A) Som Prakash vs. Union of India
(B) Ajay Hasia vs. Khalid Mujib
(C) Sukhdev vs. Bhagatram
(D) R.D. Shetty vs. International Airport Authority

Ans :

(B) Ajay Hasia vs. Khalid Mujib
Explanation: In the landmark case of Ajay Hasia vs. Khalid Mujib, the Supreme Court held that a registered society could be considered an "authority" and thus "State" under Article 12 of the Constitution. The Court laid down several tests to determine if a body is an instrumentality or agency of the government, focusing on state control and financial assistance.

2. In which case did the Supreme Court of India held that fundamental rights cannot be waived?
(A) Gopala vs. State of Madras
(B) Kameshwar Singh vs. State of Bihar
(C) Golaknath vs. State of Punjab
(D) Basheshar Nath vs. I.T. Commissioner

Ans :

(D) Basheshar Nath vs. I.T. Commissioner
Explanation: The Supreme Court, in Basheshar Nath vs. I.T. Commissioner, ruled that fundamental rights are a constitutional mandate to the state and not merely personal privileges. Based on the principle of public policy, the court held that these rights are enshrined for the public good and therefore, a citizen cannot waive them.

3. By which Constitutional Amendment was clause (4B) inserted into Article 16 ?
(A) 81
(B) 91
(C) 77
(D) 85

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Ans :

(A) 81
Explanation: The 81st Constitutional Amendment Act, 2000, inserted Clause (4B) into Article 16. This provision enables the state to carry forward the unfilled vacancies of a year reserved for backward classes to be filled in succeeding years. It also clarifies that such vacancies will not be combined with the vacancies of the succeeding year to determine the 50% ceiling.

4. Which of the following statement is correct about 106th Constitutional Amendment Act ?
(i) It introduces Article 239A by which seats are reserved for women in legislative assembly of the national capital territory of Delhi.
(ii) It introduces Article 338 providing for the reservation of seats for women in the house of people.
(iii) It also adds Article 334 A which states in that the said amendment will commence after the first census have been taken after the commencement of the said Act.
(iv) The above stated shall cease to have effect on the expiration of a period of 15 years from search commencement.
(A) (i), (ii) & (iii)
(B) (i), (iii) & (iv)
(C) (ii), (iii) & (iv)
(D) All of these

Ans :

(B) (i), (iii) & (iv)
Explanation: The 106th Amendment Act (Nari Shakti Vandan Adhiniyam) provides for women's reservation in the Delhi Assembly (i). It introduces Article 334A, linking its implementation to the post-2026 census and delimitation (iii), and sets a 15-year duration for the reservation (iv). Statement (ii) is incorrect; reservation in the Lok Sabha is introduced via Article 330A, not Article 338.

5. The Parliament enacts the "Fair Housing Act, 2024", which includes the following provisions:
(1) Section 3: Prohibits discrimination in renting or selling houses based on religion, caste, or gender.
(2) Section 6: Imposes a penalty of ₹ 10,000 for discrimination.
(3) Section 10: Makes it mandatory for landlords to disclose the religious background of all tenants in the previous 10 years.
A citizen challenges Section 10, arguing that it violates the right to privacy under Article 21 of the Indian Constitution. The Supreme Court declares Section 10 unconstitutional but upholds the other provisions of the law. What principle did the court apply in this decision ?
(A) Doctrine of Eclipse
(B) Doctrine of Severability
(C) Doctrine of Basic Structure
(D) Doctrine of Colourable Legislation

Ans :

(B) Doctrine of Severability
Explanation: The Doctrine of Severability allows courts to invalidate a specific unconstitutional provision of a statute while keeping the rest of the law in force. In this scenario, the Supreme Court struck down only Section 10 as unconstitutional and "severed" it from the Act, allowing the valid provisions (Sections 3 and 6) to remain operative.

6. The reports of the Comptroller and Auditor General of India relating to the accounts of a State shall be submitted to the
(A) Governor
(B) Committee on Public Undertakings
(C) Estimates Committee
(D) Public Accounts Committee

Ans :

(A) Governor
Explanation: According to Article 151(2) of the Indian Constitution, the reports of the Comptroller and Auditor General of India (CAG) concerning the accounts of a State are submitted directly to the Governor of that State. The Governor then causes these reports to be laid before the State Legislature for its consideration.

7. Which of the following Article of the Constitution of India declares that the Supreme Court shall be a court of record?
(A) Article 119
(B) Article 111
(C) Article 129
(D) Article 135

Ans :

(C) Article 129
Explanation: Article 129 of the Constitution of India explicitly states that the Supreme Court shall be a 'court of record'. This designation means its acts and judicial proceedings are enrolled for perpetual memory and testimony, and it has the power to punish for its own contempt, thereby upholding its authority and dignity.

8. Which article deals with the powers. privileges, and immunities of Parliament and its members ?
(A) 107
(B) 105
(C) 108
(D) 102

Ans :

(B) 105
Explanation: Article 105 of the Indian Constitution specifically addresses the powers, privileges, and immunities enjoyed by the Houses of Parliament, their members, and their committees. This article is crucial for ensuring the independence and effectiveness of parliamentary functions, granting freedom of speech within the House and immunity from legal proceedings for parliamentary activities.

9. Which Constitutional Amendment Act inserted provisions related to GST ?
(A) 99
(B) 100
(C) 101
(D) 102

Ans :

(C) 101
Explanation: The 101st Constitutional Amendment Act, 2016, introduced the Goods and Services Tax (GST) in India. This landmark amendment created a unified indirect tax

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system by subsuming various central and state taxes. It empowered both the Parliament and State Legislatures to make laws regarding GST, leading to a single national market.

10. Who can initiate impeachment proceedings against the President of India?
(A) Either House of Parliament
(B) Supreme Court
(C) Only Lok Sabha
(D) Rajya Sabha

Ans :

(A) Either House of Parliament
Explanation: According to Article 61 of the Constitution, the impeachment process against the President for 'violation of the Constitution' can be initiated by either the Lok Sabha or the Rajya Sabha. The charges must be signed by at least one-fourth of the members of the initiating house and a 14-day notice must be given to the President.

11. Bhartiya Nyaya Sanhita, 2023 considers force to be "Criminal Force" :
(A) When it is used unintentionally.
(B) When intentionally uses force only.
(C) When it is used intentionally without consent, causing injury, fear or annoyance.
(D) When it is used in self-defence.

Ans :

(C) When it is used intentionally without consent, causing injury, fear or annoyance.
Explanation: Under the Bhartiya Nyaya Sanhita, 2023, simple force becomes "criminal force" when it is used intentionally on a person without their consent. The key element is the mens rea (guilty mind), which involves the intent to commit an offence or to cause, or know it is likely to cause, injury, fear, or annoyance to the other person.

12. According to Bhartiya Nyaya Sanhita, 2023, what is the maximum fine for making or using a document that resembles a currency note or a bank note under Section 182 (1)?
(A) One hundred rupees
(B) Five hundred rupees
(C) Three hundred rupees
(D) One thousand rupees

Ans :

(A) One hundred rupees
Explanation: Section 182(1) of the Bhartiya Nyaya Sanhita, 2023, addresses the offense of making or using documents that have a resemblance to currency or bank notes. This provision specifies that a person found guilty of this offense shall be punished with a fine that may extend to a maximum of one hundred rupees.

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13. According to the provisions of the Bhartiya Nyaya Sanhita, 2023, the right of private defence of property extends to the voluntary causing of death or of any other harm to the wrong-doer in which of the offences committed or attempting to be committed?
(1) Robbery
(2) House-breaking after sunset
(3) Theft, mischief or house trespass
(A) (1) only
(B) (1) and (3) both
(C) (1) and (2) both
(D) (1) (2) and (3)

Ans :

(C) (1) and (2) both
Explanation: Under Section 38 of the BNS, the right of private defence of property extends to causing death in cases of grave offenses. This right is explicitly available against robbery and house-breaking by night (after sunset). For theft, mischief, or house trespass, this right arises only if there is a reasonable apprehension of death or grievous hurt.

14. Rajesh, in a heated argument with Sunil, strikes him with a heavy iron rod. The blow fractures Sunil's arm, and he is unable to use it for several weeks. The medical report confirms that the fracture amounts to grievous hurt. Which of the following offenses has Rajesh committed?
(A) Simple hurt under Section 323 of IPC
(B) Voluntarily causing grievous hurt under Section 325 of IPC
(C) Voluntarily causing hurt under Section 324 of IPC
(D) Attempt to commit culpable homicide under Section 308 of IPC

Ans :

(B) Voluntarily causing grievous hurt under Section 325 of IPC

Explanation: The act resulted in a fracture, which is explicitly classified as "grievous hurt" under Section 320 of the IPC. Since Rajesh voluntarily struck Sunil, the offense is "voluntarily causing grievous hurt." Section 325 of the IPC provides the punishment for this specific offense. The use of a dangerous weapon would attract Section 326, but 325 is the correct base offense provided.

15. Amit, intending to cause the death of Vijay, attacks him with a knife. Vijay sustains severe injuries and dies on the spot. The investigation reveals that Amit acted with the knowledge that his actions were likely to cause death. However, there is no evidence of premeditation or intent to murder Vijay. Which of the following offenses has Amit committed?
(A) Murder under Section 302 of IPC
(B) Culpable homicide not amounting to murder under Section 304 of IPC
(C) Causing death by negligence under Section 304A of IPC
(D) Voluntarily causing grievous hurt under Section 325 of IPC

Ans :

(A) Murder under Section 302 of IPC
Explanation: The problem states that Amit acted "intending to cause the death of Vijay," and his actions resulted in Vijay's death. This directly fulfills the essential ingredient of murder as defined in Section 300 of the IPC. Although a later sentence contradicts this, the initial statement of clear intent is the decisive factor, making it a case of murder punishable under Section 302.

16. Amit and Rani decide to break into a house at night with the intent of stealing valuables. They use a crowbar to force open the door, but before they can take anything, the owner of the house, Vikram, unexpectedly arrives home. Amit and Rani panic and run away without stealing anything. The police arrest them the following morning based on a complaint from Vikram. Which of the following offenses under the BNS have Amit and Rani committed?
(A) Attempt to commit theft
(B) House trespass with intent to commit theft
(C) Attempt to commit robbery
(D) Burglary

Ans :

(D) Burglary
Explanation: The act of illegally entering a building, especially at night, by force with the intent to commit a crime like theft is defined as house-breaking. When this occurs at night, it is commonly known as burglary. Although their actions also constitute house trespass and an attempt to commit theft, burglary is the most specific and aggravated offense they have committed.

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17. Punishment for rape in cases where the victim is a woman below the age of 16 or 12 is included in which section of the BNS ?
(A) 64
(B) 65
(C) 63
(D) 72

Ans :

(A) 64
Explanation: In the Bhartiya Nyaya Sanhita (BNS), 2023, the offense of rape is defined under Section 63. The punishments for this offense are detailed in Section 64. This section includes provisions for enhanced punishment in aggravated circumstances, such as when the victim is a minor below the age of sixteen or twelve years.

18. A new offense of 'Snatching' has been introduced by the BNS. Which section of the BNS defines 'Snatching' as an offense ?
(A) 308
(B) 303
(C) 305
(D) 304

Ans :

(C) 305
Explanation: The Bhartiya Nyaya Sanhita, 2023, has introduced 'snatching' as a new and specific offense to address crimes like chain and mobile phone snatching, which were previously prosecuted under theft or robbery. This distinct offense, defined as the sudden or forcible seizure of movable property from a person, is codified in Section 305 of the BNS.

19. Mr. Patel being a police officer receives a complaint and information that Raju was

involved in a robbery of bank and has also helped to hide the valuable properties in his farm, as stated by two villagers. With this regard, consider the following: The Police Officer Mr. Patel may arrest Raju without warrant when

(1) Raju can be arrested only if he commits a non-cognizable offence in the presence of Mr. Patel.
(2) Since the reasonable complaint against Raju has been received and there is a strong suspicion exists due to the testimony of villagers, he can be immediately arrested.
(3) Raju can be arrested only when he tries to escape or run away.
(4) Raju can be arrested so as to prevent him from making any inducement, threat or promise to any person acquainted with facts and circumstances.

Which of the above is/are the correct statement?
(A) (1) and (3)
(B) (2) and (4)
(C) Only (4)
(D) Only (2)

Ans :

(B) (2) and (4)
Explanation: Robbery is a cognizable offense. A police officer can arrest a person without a warrant based on a reasonable complaint or credible information (2). Furthermore, an arrest is justified to prevent the accused from tampering with evidence or threatening witnesses (4). Both statements represent valid grounds for arrest under the provisions of criminal procedure.

20. BNSS introduced the provision of registration of FIR relating to commission of cognizable offense irrespective of area where the offense is committed. This FIR is known as ------ .
(A) NCR
(B) Zero FIR
(C) False FIR
(D) Counter FIR

Ans :

(B) Zero FIR
Explanation: A "Zero FIR" is an FIR that can be filed at any police station, regardless of whether the crime was committed within that station's territorial jurisdiction. The station registers it with the serial number '0' and then transfers it to the appropriate station. This ensures prompt registration and avoids jurisdictional delays for the complainant.

21. The BNSS mandates a forensic team to visit the crime scenes to collect evidence for offenses punishable with imprisonment for at least ___ years.
(A) 2
(B) 4
(C) 7
(D) 5

Ans :

(C) 7
Explanation: To enhance the quality of criminal investigations through scientific evidence, the Bhartiya Nagarik Suraksha Sanhita (BNSS) has made forensic investigation mandatory for serious crimes. It requires a forensic expert to visit the crime scene and collect evidence for all offenses that carry a punishment of imprisonment for a term of seven years or more.

22. Which section of the BNSS allows for trials in absentia of proclaimed offenders ?
(A) 251
(B) 349
(C) 356
(D) 366

Ans :

(C) 356
Explanation: A significant new provision in the Bhartiya Nagarik Suraksha Sanhita (BNSS) is Section 356, which allows for trials to be conducted in the absence of the accused (in absentia). This applies to proclaimed offenders who have absconded and are evading the legal process, ensuring that justice is not indefinitely stalled by their absence.

23. Which section of BNSS facilitates trials and proceedings to be held in electronic mode ?
(A) 532
(B) 330
(C) 430
(D) 530

Ans :

(A) 532

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Explanation: Section 532 of the Bhartiya Nagarik Suraksha Sanhita (BNSS) is a key provision aimed at modernizing the justice system. It gives legal sanction for conducting trials, inquiries, and other court proceedings through electronic means, such as video conferencing. This facilitates faster and more accessible proceedings for all stakeholders involved in the judicial process.

24. Which section of BNSS repeals the Code of Criminal Procedure, 1973?
(A) 531
(B) 101
(C) 200
(D) 1

Ans :

(A) 531
Explanation: Section 531 of the Bhartiya Nagarik Suraksha Sanhita (BNSS), 2023, is the specific provision that deals with repeal and savings. This section formally repeals the Code of Criminal Procedure, 1973. It also includes saving clauses to ensure that any action taken or right acquired under the old Act remains valid during the transition.

25. Which section mandates State Government prepare and notify a witness protection scheme for the state with a view to ensure the protection of witnesses ?
(A) 98
(B) 198
(C) 298
(D) 398

Ans :

(D) 398
Explanation: Recognizing the importance of witness safety for a fair trial, Section 398 of the Bhartiya Nagarik Suraksha Sanhita (BNSS) places a statutory duty on every State Government. It mandates the creation and notification of a formal Witness Protection Scheme to provide security to witnesses and ensure they can testify without fear or intimidation.

26. Which section of BNSS mandates the appointment of a designated police officer in each district and police station to provide information about arrested individuals to the general public?
(A) 25
(B) 35
(C) 37
(D) 45

Ans :

(C) 37
Explanation: To increase transparency and comply with human rights standards, Section 37 of the Bhartiya Nagarik Suraksha Sanhita (BNSS) mandates the designation of a police officer in every police station and district headquarters. This officer is responsible for maintaining and providing information about arrested persons and the place of their detention.

27. Which section of BNSS introduces provisions for identifying, attaching, and forfeiting the property of proclaimed offenders located outside India?
(A) 74
(B) 76
(C) 84
(D) 86

Ans :

(D) 86
Explanation: Section 86 of the Bhartiya Nagarik Suraksha Sanhita (BNSS) strengthens the legal framework for dealing with proclaimed offenders, especially those who have fled the country. It includes provisions not only for attaching their property within India but also for identifying and attaching property located outside India through international cooperation and letters of request.

28. Which section of BNSS places restrictions on the adjournment of trials, ensuring the expeditious resolution of cases ?
(A) 146
(B) 246
(C) 346
(D) 356

Ans :

(C) 346
Explanation: To address the issue of judicial delays, Section 346 of the Bhartiya Nagarik Suraksha Sanhita (BNSS) imposes stricter

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controls on the granting of adjournments during trials. The provision limits the number of adjournments that can be granted and emphasizes the need for day-to-day hearings to ensure a speedy conclusion of cases.

29. A suit is pending in District Court A, but one of the parties, Meera, requests its transfer to District Court B, claiming that the judge in Court A is biased. The opposing party, Ravi, objects, stating that the request is baseless. Who has the authority to decide whether the suit can be transferred ?
(A) The District Court A where the suit is currently pending.
(B) The High Court or the Supreme Court
(C) The Civil Judge in District Court B
(D) A committee of local advocates

Ans :

(B) The High Court or the Supreme Court
Explanation: Under the Code of Civil Procedure, 1908, the power to transfer a suit from one District Court to another lies with a higher judicial authority. The High Court (under Section 24) can transfer a case between subordinate courts within its jurisdiction, while the Supreme Court (under Section 25) can transfer a case between different states.

30. Which of the following is not a feature of Alternative Dispute Resolution (ADR)?
(A) It promotes flexible procedures.
(B) It reduces the burden on courts.
(C) It guarantees a formal trial process.
(D) It allows parties to choose their own neutral third party.

Ans :

(C) It guarantees a formal trial process.
Explanation: ADR methods like mediation, arbitration, and negotiation are designed to be flexible and informal. They reduce court burden and allow parties to select a neutral third party. However, ADR does not guarantee a formal trial process like traditional litigation, making option (C) incorrect.

31. Which section of the CPC allows for the appeal from original decrees ?
(A) Section 96
(B) Section 100
(C) Section 115
(D) Section 104

Ans :

(A) Section 96
Explanation: Section 96 of the Code of Civil Procedure, 1908, is the fundamental provision that grants the substantive right of appeal from an original decree. It allows a party aggrieved by a decree passed by any court exercising original jurisdiction to file an appeal to the designated appellate court, commonly known as a first appeal.

32. Under the CPC, what is the maximum time limit for filing a written statement in a suit?
(A) 30 Days
(B) 60 Days
(C) 120 Days
(D) 90 Days

Ans :

(D) 90 Days
Explanation: According to Order VIII, Rule 1 of the Code of Civil Procedure, the defendant must file a written statement within 30 days from the date of service of summons. The court has the discretion to extend this period on sufficient cause shown, but the total time limit cannot exceed 90 days from the summons service date.

33. Which section of the CPC provides exemption of the President of India and the Governors of states from personal appearance in court ?
(A) Section 132
(B) Section 133
(C) Section 128
(D) Section 130

Ans :

(B) Section 133
Explanation: Section 133 of the Code of Civil Procedure, 1908, grants certain high-ranking public officials exemption from personal appearance in civil courts. This list explicitly includes the President of India and Governors of states, ensuring they can perform their constitutional duties without interruption from civil litigation that requires their personal presence.

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34. What is the term used for a court's power to transfer a case from one court to another under the Code of Civil Procedure?
(A) Res Judicata
(B) Reference
(C) Review
(D) Transfer of suits

Ans :

(D) Transfer of suits
Explanation: The legal terminology used in the Code of Civil Procedure for a court's power to move a pending case from one court to another is "Transfer of suits." This power, primarily governed by Sections 22 to 25 of the CPC, is exercised by higher courts to ensure fairness, justice, and convenience for the parties involved.

35. Under which order of the CPC the procedure for summary suits is provided?
(A) Order XXXV
(B) Order XXXVII
(C) Order XXXIV
(D) Order XXXVI

Ans :

(B) Order XXXVII
Explanation: The procedure for summary suits, which is an expedited process for specific types of cases like those based on negotiable instruments or written contracts for a liquidated sum, is detailed under Order XXXVII of the Code of Civil Procedure, 1908. This procedure limits the defendant's ability to defend without obtaining leave from the court.

36. Which section of the CPC deals with the principle of "res judicata"?
(A) Section 11
(B) Section 10
(C) Section 12
(D) Section 9

Ans :

(A) Section 11
Explanation: The doctrine of "res judicata," which means "a matter already judged," is codified in Section 11 of the Code of Civil Procedure, 1908. This principle prevents the re-litigation of issues that have already been finally decided by a competent court between the same parties, promoting the finality of judgments.

37. ____ of the CPC provides for an denterpleader suit.
(A) Section 88
(B) Section 89
(C) Section 92
(D) Section 86

Ans :

(A) Section 88
Explanation: Section 88 of the Code of Civil Procedure, 1908, provides for the institution of an "interpleader suit." This is a suit filed by a person who holds some debt, money, or property but has no personal interest in it and is facing competing claims from two or more other persons for the same.

38. Which section of the CPC provides for the payment of compensatory costs ?
(A) Section 35
(B) Section 35 (A)
(C) Section 35 (B)
(D) Section 36

Ans :

(B) Section 35 (A)
Explanation: Section 35A of the Code of Civil Procedure specifically deals with "Compensatory costs in respect of false or vexatious claims or defences." It allows a court to order the losing party to pay costs to the successful party if it finds that the claim or defence was not only unsuccessful but also intentionally false or vexatious.

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39. Which word is inserted in Section 22 of the BSA that was not present in Section 24 of the Evidence Act ?
(A) Inducement
(B) Coercion
(C) Threat
(D) Promise

Ans :

(B) Coercion
Explanation: Section 22 of the Bharatiya Sakshya Adhiniyam (BSA), 2023, which replaces Section 24 of the Evidence Act, lists the factors that make a confession irrelevant. While the old act included inducement, threat, and promise, the new BSA has explicitly added the word

"coercion" to this list, thus expanding the scope of what constitutes an involuntary confession.

40. Existence of course of business when relevant is discussed in
(A) Section 12 of the BSA, 2023
(B) Section 13 of the BSA, 2023
(C) Section 14 of the BSA, 2023
(D) Section 15 of the BSA, 2023

Ans :

(D) Section 15 of the BSA, 2023
Explanation: Section 15 of the Bharatiya Sakshya Adhiniyam (BSA), 2023, deals with the relevance of the existence of a course of business. It states that when there is a question about whether a particular act was performed, the existence of any regular course of business according to which it would naturally have been done is a relevant fact.

41. In a criminal trial, Rajesh is accused of theft. During the investigation, the police recover a stolen laptop from a location known to be frequented by Rajesh. His fingerprints are found on the laptop. According to the Bharatiya Sakshya Adhiniyam, 2023, how should the court interpret this piece of evidence ?
(A) The recovered laptop and fingerprints are automatically considered conclusive proof of Rajesh's guilt.
(B) The recovered laptop and fingerprints are circumstantial evidence that can be considered along with other evidence, but do not by themselves prove guilt beyond reasonable doubt.
(C) The evidence is inadmissible because the police did not obtain a search warrant before recovering the laptop.
(D) The fingerprints must be verfied by at least two independent forensic experts before being presented in court.

Ans :

(B) The recovered laptop and fingerprints are circumstantial evidence that can be considered along with other evidence, but do not by themselves prove guilt beyond reasonable doubt.
Explanation: In criminal law, evidence like recovery of stolen items and fingerprints are considered circumstantial evidence. While highly incriminating, they are not conclusive proof of guilt on their own. The court must consider them in conjunction with all other evidence to determine if the prosecution has proven its case beyond a reasonable doubt.

42. Where a document is executed in several parts like printing, lithography or photography, video recording, computer resource as a electronic or digital records, the BSA 2023 classifies each part as a
(A) Primary evidence
(B) Secondary evidence
(C) Circumstantial evidence
(D) Scientific evidence

Ans :

(A) Primary evidence
Explanation: Under Section 58 of the Bharatiya Sakshya Adhiniyam (BSA), when a document is created in multiple uniform parts, such as through printing or other mechanical processes, each part is considered primary evidence of the contents of the others. This rule ensures that each identical copy produced from a common original is treated as an original itself.

43. Which section of BSA provides that no court shall require any communication between the Ministers and the President of India to be produced before it ?
(A) 65
(B) 165
(C) 268
(D) 168

Ans :

(B) 165
Explanation: This question seems to contain a typo as this privilege is enshrined in Article 74(2) of the Constitution, not the Evidence Act or BSA. However, if forced to choose from BSA sections, none are directly relevant. The old Evidence Act had Section 123 for "unpublished official records", but the privilege for President-Minister advice is constitutional. Assuming there is a large error and it refers to the section on "Professional communications" (Section 129 in old Act, Section 132 in BSA) or similar privileges, there's no direct fit. The question is likely flawed. Based on cross-referencing to the old IEA's structure, Section 165 of BSA deals

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with the Judge's power to put questions or order production, which is where exceptions and privileges would be relevant, but this is a stretch. The question is likely erroneous.

44. According to Section 46 of Bharatiya Sakshya Adhiniyam, when character evidence is relevant in civil cases ?
(A) Always relevant to prove conduct
(B) Only when related to other relevant fact
(C) Never relevant
(D) Only in criminal cases

Ans :

(B) Only when related to other relevant fact
Explanation: Section 46 of the Bharatiya Sakshya Adhiniyam states that in civil cases, evidence of a person's character is generally not relevant to prove that their conduct was probable or improbable. However, it can become relevant if the character itself is a fact in issue or is relevant otherwise under a different provision of the Act.

45. As per Section 78(2) of the BSA 2023, presumption about the officer signing or certifying a document is:
(A) The officer's signature is assumed to be forgery
(B) The officer did not hold the claimed officer character at the time of signing
(C) The officer held the official character claimed when signing or certifying the document
(D) The document's authenticity is independent of the official's official character

Ans :

(C) The officer held the official character claimed when signing or certifying the document
Explanation: Section 78(2) of the Bharatiya Sakshya Adhiniyam, 2023, creates a legal presumption of genuineness for certain official documents. When a document is produced that purports to be certified by a public officer, the court shall presume that the officer held the official position they claimed to hold at the time of signing or certifying the document.

46. Under Section 146 of the BSA 2023, when the leading questions are permissible in the court proceedings ?

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(A) Leading questions are always allowed during examination- in chief without restriction,
(B) Leading questions are not allowed during cross-examination
(C) Leading questions can be asked in an examination-in chief, re-examination, crossexamination without any objection.
(D) Leading questions are permitted during cross-examination and when matters are introductory, undisputed, or sufficiently proved.

Ans :

(D) Leading questions are permitted during cross-examination and when matters are introductory, undisputed, or sufficiently proved.
Explanation: Section 146 of the BSA, 2023, states that leading questions (which suggest the answer) must not be asked in examination-in-chief or re-examination without the court's permission. However, they are permitted during cross-examination. The court may also permit them during examination-in-chief for introductory matters, undisputed facts, or facts already sufficiently proven.

47. Which of the following is a characteristic of mediation ?
(A) The mediator imposes a binding decision.
(B) It involves a neutral third party who facilitates negotiation between the parties.
(C) The mediator acts as a judge and renders a verdict.
(D) It is always court-ordered.

Ans :

(B) It involves a neutral third party who facilitates negotiation between the parties.
Explanation: Mediation is a voluntary and flexible dispute resolution process where a neutral third party, the mediator, assists the disputing parties in reaching a mutually acceptable agreement. The mediator does not impose a decision but facilitates communication and negotiation, empowering the parties to find their own solution.

48. A dispute arises between ABC Ltd. and XYZ Pvt. Ltd. regarding a contract that both parties had entered into. The agreement includes an arbitration clause, which states that any disputes

shall be referred to arbitration. However, the parties fail to agree on the appointment of an arbitrator. Which of the following provisions of the Arbitration and Conciliation Act, 1996 would be applicable to resolve the issue of the appointment of an arbitrator?

(A) The court will appoint an arbitrator under Section 11 if the parties fail to agree on one.
(B) The parties must mutually select an arbitrator, and if they fail, the arbitration will not take place.
(C) The arbitrator must be appointed by the Indian Council of Arbitration (ICA) in all cases.
(D) The parties can resolve the appointment issue by opting for conciliation instead of arbitration.

Ans :

(A) The court will appoint an arbitrator under Section 11 if the parties fail to agree on one.
Explanation: Section 11 of the Arbitration and Conciliation Act, 1996, provides the mechanism for the appointment of arbitrators. If the parties' agreed-upon procedure for appointing an arbitrator fails (e.g., they cannot agree on a name), either party can approach the Supreme Court or the High Court to appoint an arbitrator to resolve the deadlock.

49. Which of the following is not an advantage of using ADR ?

(A) It is generally faster than litigation.
(B) It offers more confidentiality than traditional court cases.
(C) It always results in a binding decision.
(D) It is often less expensive than court proceedings.

Ans :

(C) It always results in a binding decision.
Explanation: While arbitration, a form of Alternative Dispute Resolution (ADR), results in a binding decision (award), other ADR methods like mediation and negotiation do not. In mediation, the outcome is a settlement agreement that is binding only if the parties agree to it. Therefore, it is incorrect to state that ADR always results in a binding decision.

50. Kiran and Meera are involved in an arbitration, where Kiran was awarded Rs. 10 lakhs as compensation. Meera refuses to pay the amount, arguing that the award was not enforceable because of certain procedural irregularities in the arbitration process. Kiran decides to approach the court to enforce the arbitral award. Which of the following provisions of the Arbitration and Conciliation Act, 1996 governs the enforcement of an arbitral award ?

(A) Section 34 of the Act deals with the enforcement of an arbitral award.
(B) Section 36 of the Act allows for the automatic enforcement of an arbitral award unless set-aside by the court.
(C) Section 9 of the Act governs the enforcement of arbitral awards.
(D) Section 11 of the Act deals with the enforcement of arbitral awards, not the appeal.

Ans :

(B) Section 36 of the Act allows for the automatic enforcement of an arbitral award unless set-aside by the court.
Explanation: Section 36 of the Arbitration and Conciliation Act, 1996, governs the enforcement of arbitral awards. It states that once the time for making an application to set aside the award under Section 34 has expired, the award shall be enforced under the Code of Civil Procedure, 1908, in the same manner as if it were a decree of the court.

51. Which sections discusses with regard to "sapinda relationships" under the Hindu Marriage Act 1955 ?

(A) Sections 3(f) (i), 5(v)
(B) Sections 3(f) (i), 5 (iv)
(C) Sections 3(f) (i) & (ii), Explanation to section 3 (g), 5 (iv)
(D) Sections 3(f) (i) & (ii), Explanation to section 3 (g), 5(v)

Ans :

(A) Sections 3(f) (i), 5(v)
Explanation: Section 3(f)(i) of the Hindu Marriage Act, 1955, defines "sapinda relationship." Subsequently, Section 5(v) lays down the condition that the parties to a marriage must not be sapindas of each other, unless the custom or usage governing each of them permits

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such a marriage. This makes marriage between sapindas voidable.

52. Under Section 15 of Hindu Marriage Act, 1955 the divorced person, to marry again ------
(A) have to wait for a period of one year from the date of the decree.
(B) have to wait for a period of six month from the date of the decree.
(C) may marry immediately thereafter without the leave of the court as a matter of right,
(D) None of these

Ans :

(C) may marry immediately thereafter without the leave of the court as a matter of right,
Explanation: Section 15 of the Hindu Marriage Act, 1955, specifies when divorced persons can remarry. After the 2001 amendment, the section states that once a marriage has been dissolved by a decree of divorce and there is no right of appeal against the decree, or if there is, the time for appealing has expired without an appeal, it is lawful for either party to marry again. There is no mandatory waiting period specified in the Act itself post-decree finality. Note: The most accurate answer is that one can remarry after the appeal period expires, but option (C) is the closest among the choices, implying immediate right once the divorce is final.

53. Aarti and Rajesh have been married for five years. Over time, Aarti has been subjected to continuous cruelty by Rajesh, which has led to emotional and mental distress. Aarti decides to file for divorce on the grounds of cruelty under Section 13(1)(ia) of the Hindu Marriage Act, 1955. Which of the following statements is true regarding the grounds for divorce under the Hindu Marriage Act ?
(A) Aarti can only seek divorce on the grounds of adultery.
(B) Aarti can seek divorce on the grounds of cruelty, as long as she proves mental or physical cruelty.
(C) Aarti cannot seek divorce on the grounds of cruelty as it is not recognized under the Hindu Marriage Act.
(D) Aarti must prove Rajesh's cruelty was intentional to succeed in the divorce petition.

Ans :

(B) Aarti can seek divorce on the grounds of cruelty, as long as she proves mental or physical cruelty.
Explanation: Section 13(1)(ia) of the Hindu Marriage Act, 1955, explicitly recognizes "cruelty" as a ground for divorce. The Supreme Court has interpreted cruelty to include both physical and mental cruelty. Therefore, Aarti can file for divorce by proving that she was subjected to continuous cruelty that caused her emotional and mental distress.

54. On matters where Dayabhaga is silent, what prevails ?
(A) The local customs
(B) The Smritis
(C) The Shrutis
(D) Mitakshara

Ans :

(B) The Smritis
Explanation: The Dayabhaga school of Hindu law, authored by Jimutavahana, is a digest of various Smritis. It is not a complete code in itself. Therefore, on matters where the Dayabhaga text is silent, the original texts of the Smritis (like those of Manu, Yajnavalkya, Narada) are referred to as the primary source of law to fill the gaps.

55. Nisha and Aakash are separated, and they both seek custody of their minor child, Aarav. Nisha has been the primary caregiver, while Aakash claims that he can provide better financial stability for Aarav. They both approach the court under the Guardian and Wards Act, 1890. Which of the following factors will the court primarily consider in determining the custody of Aarav?
(A) The financial stability of both parents.
(B) The gender of the child.
(C) The welfare and best interests of the child.
(D) The parent who is financially more stable is granted custody automatically.

Ans :

(C) The welfare and best interests of the child.
Explanation: Under the Guardian and Wards Act, 1890, and subsequent judicial pronouncements, the paramount consideration for any court in deciding child custody matters is the "welfare and best interests of the child." Factors like

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financial stability, parental conduct, and the child's preference are considered, but only in the context of how they impact the child's overall well-being.

56. Match the following:

	Item		**Match**
a.	Spoken words	i.	Sunnat-ul-Qaul
b.	Deepika vs. CAT	ii.	Customary Law
c.	Silence	iii.	Sunnat-ul-Taqrir
d.	Ass Kaur vs. Kartar Singh	iv.	Atypical Relationships
e.	Shayara Bano vs. UOI	v.	Triple Talaq
		vi.	Maintenance

Choose the correct option:
(A) a-i, b-ii, c-iii, d-iv, e-vi
(B) a-iii, b-i, c-i, d-v, e-vi
(C) a-i, b-iv, c-iii, d-ii, e-v
(D) a-iii, b-fiw, c-i, d-ii, e-vi

Ans :

(C) a-i, b-iv, c-iii, d-ii, e-v
Explanation:
a. Spoken words of the Prophet are 'Sunnat-ul-Qaul' (i).
b. Deepika vs. CAT dealt with rights arising from 'Atypical Relationships' (iv).
c. The Prophet's tacit approval or 'Silence' is 'Sunnat-ul-Taqrir' (iii).
d. Ass Kaur vs. Kartar Singh is a case related to 'Customary Law' (ii).
e. Shayara Bano vs. UOI famously dealt with the issue of 'Triple Talaq' (v).

57. Fatima, a Muslim woman, has been divorced by her husband, Imran, through Talaq. Fatima is now seeking maintenance from Imran for herself and her two minor children. Imran argues that Fatima has remarried and, therefore, is not entitled to any maintenance. Under Muslim law, which of the following statements is true regarding Fatima's claim for maintenance ?
(A) Fatima is not entitled to maintenance because she has remarried.
(B) Fatima is entitled to maintenance only for a period of three months after the divorce.
(C) Fatima is entitled to maintenance for herself during her iddat period and for her children-until they are self-supporting.
(D) Fatima can claim maintenance for herself and her children indefinitely, irrespective of her remarriage or the children's age.

Ans :

(C) Fatima is entitled to maintenance for herself during her iddat period and for her children-until they are self-supporting.
Explanation: Under Muslim personal law, a divorced woman is entitled to maintenance from her former husband only during the iddat period. Her remarriage ends this entitlement. However, the father's obligation to maintain his minor children continues regardless of the mother's marital status, until the children become capable of supporting themselves (sons until majority, daughters until marriage).

58. The remedy of restitution of conjugal rights is given in Section _____ of Hindu Marriage Act, 1955.
(A) 13
(B) 11
(C) 6
(D) 9

Ans :

(D) 9
Explanation: Section 9 of the Hindu Marriage Act, 1955, provides the remedy of "Restitution of Conjugal Rights." This section allows a spouse to file a petition in court if the other spouse has, without reasonable excuse, withdrawn from their society. The court can then decree restitution of conjugal rights.

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59. In which casea prison inmate sent a letter to the Supreme Court, describing physical torture, which became a pioneer in public interest litigation, though the court later abandoned the practice of considering letters ?
(A) Hussainara Khatoon vs. Bihar case
(B) Sunil Batra vs. Delhi Administration
(C) Mukti Morcha vs. Union of India
(D) The Narasimha Rao case

Ans :

(B) Sunil Batra vs. Delhi Administration
Explanation: In Sunil Batra vs. Delhi Administration, the Supreme Court treated a

letter written by a prison inmate alleging brutal physical torture as a writ petition. This case was a landmark in the development of Public Interest Litigation (PIL) and in upholding the fundamental rights of prisoners, demonstrating the court's willingness to relax procedural formalities for justice.

60. In the early 1980s, a social activist group discovered severe exploitation of labourers working in stone quarries near Delhi. The workers... were effectively trapped in a cycle of debt and forced labour... The Supreme Court was approached... and one of the following views of the Court was sustained in the said case, identify from the following-

(A) The Court established that-the right to free legal aid is a mere directive principle and cannot be enforced as a fütudamental right.
(B) The judgment primarily fecused on providing monetary compensation to the affected labourers without addressing systemic issues of bonded labour.
(C) The Supreme Court recognized the right against forced labour as a fundamental right derived from the right to life and human dignity under Article 21.
(D) The Court ruled that only government agencies, and not social activists, could file petitions concerning labour rights.

Ans :

(C) The Supreme Court recognized the right against forced labour as a fundamental right derived from the right to life and human dignity under Article 21.
Explanation: This scenario refers to the landmark case of Bandhua Mukti Morcha vs. Union of India. In this case, the Supreme Court took a broad and expansive view of Article 21. It held that the right to life includes the right to live with human dignity, free from exploitation, and recognized that the right against forced labour is a fundamental right.

61. Read the given statements and choose the correct option.
Statement 1: In PIL cases, the Court plays a passive role similar to traditional cases.
Statement 2: PIL is primarily focused on individual disputes.

(A) Both statements are true.
(B) Only Statement 1 is true.
(C) Only Statement 2 is true.
(D) Both statements are false.

Ans :

(D) Both statements are false.
Explanation: Both statements are incorrect. In Public Interest Litigation (PIL) cases, the court plays an active, often inquisitorial role, unlike its passive role in traditional adversarial litigation (Statement 1 is false). PIL is not focused on individual disputes but on issues of public interest, affecting a class of people who cannot approach the court themselves (Statement 2 is false).

62. Given below are two statements, one labelled as Assertion (A) and the other labelled as Reason (R).
Assertion (A): The concept of "locus standi" is relaxed in PIL cases.
Reason (R): PIL allows any public-spirited person to approach the court on behalf of those who cannot represent themselves.
In the context of the above two statements, which one of the following is correct?

(A) Both A and (R) are true, and (R) is the correct explanation of A.
(B) Both (A) and (R) are true, but (R) is not The correct explanation of A.
(C) (A) is true, but (R) is false.
(D) (A) is false, and (R) is true.

Ans :

(A) Both A and (R) are true, and (R) is the correct explanation of A.
Explanation: Assertion (A) is true; the traditional rule of 'locus standi' (right to be heard), which requires a person to have a personal injury to approach the court, is relaxed in PIL. Reason (R) is also true and correctly explains why: PIL allows public-spirited individuals to file petitions for those who are disadvantaged and cannot represent themselves.

63. Which of the following best defines delegated egislation?

(A) Legislation passed by local governments
(B) Laws enacted by Parliament or the Legislature.
(C) Laws made by an administrative authority

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under powers given to them by Parliament.
(D) A judicial decision made by an administrative tribunal.

Ans :

(C) Laws made by an administrative authority under powers given to them by Parliament.
Explanation: Delegated (or subordinate) legislation refers to laws, rules, or regulations made by an executive or administrative authority. This law-making power is not inherent but is delegated to the authority by the primary legislature (like Parliament) through a parent Act, which outlines the scope and purpose of the delegation.

64. In 2020 at Dhorodo village the Panchayat elections could not happen due to Covid pandemic while the tenure of the Panchayat was getting over that year itself. Mr. Haribansh, represented the people that year at the Panchayat post dissolution of the Panchayat tenure and made a law exercising the delegated power vide the Panchayatiraj Act of the state to restrict their economic activities per day to (₹100) only. In which of the following case this is allowed or restricted?
(A) MCD vs. Birla Cotton Mills
(B) Patna University vs. Amita Tiwari
(C) Jalan Trading vs. Union of India
(D) None of these

Ans :

(A) MCD vs. Birla Cotton Mills
Explanation: This fact pattern touches upon the limits of delegated legislation, specifically sub-delegation and exercise of power by an unauthorized body. While the cases listed deal with various aspects of administrative law, the core issue here is the validity of an action by a body whose tenure has expired. In MCD vs. Birla Cotton Mills, it was held that a tax can be imposed only by an authority empowered by the legislature; this power cannot be further delegated. Here, a person without a valid electoral mandate is exercising delegated power, which would be impermissible.

65. Which of the following is/are not ground/s for judicial review of administrative action ?
(1) Illegality
(2) Irrationality
(3) Proportionality
(4) Public opinion
(A) Only (2)
(B) (2) and (4)
(C) (1), (2) and (3)
(D) Only (4)

Ans :

(D) Only (4)
Explanation: The established grounds for judicial review of administrative action include illegality (acting beyond power), irrationality (Wednesbury unreasonableness), and procedural impropriety. Proportionality is also an emerging and recognized ground. Public opinion, however, is not a legal ground for a court to review and strike down an administrative action.

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66. What does "conflict of interest" refer to in professional ethics ?
(A) A situation involving legal disputes
(B) A situation where two professionals disagree
(C) A conflict between ethics and laws
(D) A situation where personal interests conflict with professional duties

Ans :

(D) A situation where personal interests conflict with professional duties
Explanation: A conflict of interest in professional ethics arises when a professional's personal interests—such as financial, familial, or other personal relationships—have the potential to compromise or bias their judgment and objectivity in performing their professional duties. This creates a risk that their decisions will be influenced by personal gain rather than the client's or public's best interest.

67. Advocate Mr. X was representing a client, Mr. Y, in a property dispute case. During the proceedings, Advocate Mr. X accepted a bribe from the opposing party to delay the case, causing significant harm to Mr. Y's interests. Moreover, Mr. X failed to inform his client about critical hearing dates, leading to adverse judgments. On the basis of the above problem, select the correct option.
(A) It is a violation of Rules made by the Bar Council of India for the professional ethics
(B) It is only an offence under the Prevention of

Corruption Act, 2018
(C) It amounts to criminal conspiracy under the Bhartiya Nyaya Sanhita, 2023
(D) It amounts to the Contempt of Court under the Contempt of Courts Act, 1971

Ans :

(A) It is a violation of Rules made by the Bar Council of India for the professional ethics
Explanation: Accepting a bribe, acting against a client's interests, and professional negligence are all severe breaches of an advocate's duties. These actions constitute "professional misconduct" and are a direct violation of the standards of professional conduct and etiquette laid down by the Bar Council of India under the Advocates Act, 1961.

68. The nature of proceedings in the cases of professional misconduct :
(1) Criminal in nature
(2) Neither civil nor criminal
(3) Quasi-criminal in nature
(4) Civil in nature
(A) Both (1) and (4)
(B) Only (2)
(C) Only (3)
(D) (1), (3) and (4)

Ans :

(C) Only (3)
Explanation: Disciplinary proceedings against an advocate for professional misconduct are considered to be quasi-criminal in nature. While they are not full-fledged criminal trials, they involve serious allegations that can result in punitive actions, such as suspension or removal from the roll of advocates. Therefore, a higher standard of proof than in civil cases is often required.

69. Appropriate procedural safeguards help reduce threats to objectivity and counter any perception of possible bias, which of the following is/are not procedural safeguard/s ?
(1) Act in a fraudulent manner
(2) Providing peer-review of valuation, if necessary
(3) Non-Disclosure of any prior association with the client
(4) Non-Disclosure of any possible source of conflict of interest
(A) (3) and (4)
(B) Only (2)
(C) Only (4)
(D) (2) and (4)

Ans :

(A) (3) and (4)
Explanation: Procedural safeguards are measures taken to ensure objectivity and fairness. Providing peer-review (2) is a safeguard. However, acting fraudulently (1), failing to disclose prior associations (3), and failing to disclose conflicts of interest (4) are breaches of ethics, not safeguards. They actively undermine objectivity and are the opposite of procedural protections. Thus (1), (3), and (4) are not safeguards. The option that correctly identifies multiple non-safeguards is needed. Assuming the choice is between (2), (3), and (4), then (3) and (4) are the non-safeguards. The provided solution key has an error in numbering, but the logic points to actions that are contrary to safeguards.

70. As per Section 2(84) Share means share in the share capital of a Company and includes-------- .
(1) Debentures
(2) Preference Shares
(3) Stocks
(4) Bonds
(A) (1) and (2)
(B) (1), (2) and (3)
(C) Only (3)
(D) (1), (2), (3) and (4)

Ans :

(C) Only (3)
Explanation: Section 2(84) of the Companies Act, 2013, defines a "share" as a share in the share capital of a company and explicitly states that it "includes stock". Debentures and bonds are instruments of debt, not ownership, and while preference shares are a type of share, the definition specifically includes "stock" as part of the meaning.

71. Section 43 of the Companies Act, 2013 provides for
(A) Issue of Shares at Premium
(B) Kinds of Shares Capital
(C) Buy Back of Shares
(D) Reduction in share Capital

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Ans :

(B) Kinds of Shares Capital
Explanation: Section 43 of the Companies Act, 2013, deals with the kinds of share capital a company can have. It specifies that the share capital of a company limited by shares shall be of two kinds: equity share capital (with voting rights or with differential rights) and preference share capital.

72. A manufacturing company in the city of Surat named as "X" has been discharging untreated industrial waste into a nearby river... violating the provisions of the Environment Protection Act, 1986 and the Water (Prevention and Control of Pollution) Act, 1974... Based on the above problem, select the correct answer.
(A) It is the violation of Section 24 of the Water (Prevention and Control of Pollution) Act, 1974.
(B) It is the violation of Section 40 of the Water (Prevention and Control of Pollution) Act, 1974.
(C) It is not the violation of the provisions of the laws stated in the problem.
(D) It is the violation of Section 23 of the Water (Prevention and Control of Pollution) Act, 1974.

Ans :

(A) It is the violation of Section 24 of the Water (Prevention and Control of Pollution) Act, 1974.
Explanation: Section 24 of the Water (Prevention and Control of Pollution) Act, 1974, explicitly prohibits the disposal of polluting matter into streams or wells. Discharging untreated industrial waste directly into a river is a clear violation of this provision, which aims to prevent water pollution and maintain the wholesomeness of water bodies.

73. Which of the following Acts is popularly known as Umbrella Legislation ?
(A) The Water (Prevention and Control of Pollution) Act, 1974
(B) The Air (Prevention and Control of Pollution) Act, 1981
(C) The Factories Act, 1948
(D) The Environment (Protection) Act, 1986

Ans :

(D) The Environment (Protection) Act, 1986
Explanation: The Environment (Protection) Act, 1986, is often called an "Umbrella Legislation" because it provides a broad framework for the central government to coordinate the activities of various central and state authorities established under other environmental laws. It empowers the government to take all necessary measures for the protection and improvement of the environment.

74. Which of the following is/are included under Section 2(1)(w) of the Information Technology Act, 2000 describing the Intermediary?
(1) Cyber Cafes
(2) Telecom Regulators
(3) Social Media Platforms
(4) Internet Service Providers
(A) (1), (2) and (3)
(B) (1), (3) and (4)
(C) (1), (2) and (4)
(D) (1), (2), (3) and (4)

Ans :

(B) (1), (3) and (4)
Explanation: Section 2(1)(w) of the IT Act defines an "intermediary" broadly to include any person who, on behalf of another, receives, stores, or transmits electronic records. This includes Telecom/Internet Service Providers (4), Social Media Platforms (3), and Cyber Cafes (1). Telecom Regulators (like TRAI) are government bodies that regulate the sector, not intermediaries themselves.

75. Malti, a small business owner, runs an online clothing store... her website had been hacked, and her customers' personal information... was stolen... customers reported unauthorized transactions... Malti wishes to file a complaint... On the basis of the above problem select the correct option.
(A) It is punishable under Section 66 of the Information Technology Act, 2000.
(B) It is punishable only under the criminal laws.
(C) It is punishable under Section 66 of the Information Technology Act, 2000 and the customers can also claim the compensation under certain circumstances.
(D) The customers do not have any legal remedy

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under the Information Technology Act, 2000.

Ans :

(C) It is punishable under Section 66 of the Information Technology Act, 2000 and the customers can also claim the compensation under certain circumstances.
Explanation: The act of hacking is a computer-related offense punishable under Section 66 of the IT Act, 2000. Additionally, under Section 43A, if a corporate body is negligent in implementing reasonable security practices and causes wrongful loss to any person, it is liable to pay compensation. Thus, both criminal liability and civil remedy (compensation) are available.

76. Which of the following is/are included under the definition of employer given under The Industrial Relations Code, 2020?
(1) Occupier of the factory
(2) Contractor
(3) Manager of the factory
(4) Managing director of the factory
(A) (4) Only
(B) (1), (3) and (4)
(C) (1), (2) and (4)
(D) (1), (2), (3) and (4)

Ans :

(D) (1), (2), (3) and (4)
Explanation: The definition of "employer" under the Industrial Relations Code, 2020 is very broad. It includes the occupier of the factory (1), the manager of the factory (3), and the managing director (4). Crucially, it also includes a contractor (2) with respect to the employees employed by them in an establishment, making all listed options correct.

77. Which of the following legislations has been included under the Social Security Code, 2020 ?
(1) The Maternity Benefit Act, 1961
(2) The Payment of Gratuity Act, 1972
(3) The Payment of Bonus Act, 1965
(4) The Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959
(A) Only (3)
(B) (3) and (4)
(C) (1), (2) and (4)
(D) (1), (2), (3) and (4)

Ans :

(C) (1), (2) and (4)
Explanation: The Social Security Code, 2020, subsumed nine central labour laws. These include The Maternity Benefit Act (1), The Payment of Gratuity Act (2), and The Employment Exchanges Act (4). The Payment of Bonus Act, 1965, has been subsumed under the Code on Wages, 2019, not the Social Security Code.

78. _____ have not been set up under the provisions of the Industrial Disputes Act, 1947 for adjudication of industrial disputes in an organization.
(A) Industrial Tribunals
(B) Environmental Tribunals
(C) Labour Courts
(D) National Tribunal

Ans :

(B) Environmental Tribunals
Explanation: The Industrial Disputes Act, 1947, provides a machinery for the adjudication of industrial disputes. This machinery includes Labour Courts, Industrial Tribunals, and National Tribunals. Environmental Tribunals, such as the National Green Tribunal (NGT), are established under separate environmental legislation (the NGT Act, 2010) and deal with environmental disputes, not industrial labour disputes.

79. XYZ Textiles Ltd... terminated 04 workers without providing any compensation. The termination was because of the misconduct on the part of the workers. The company issued a show cause notice and the disciplinary enquiry was also conducted... The workers claimed the retrenchment compensation which was rejected by the management... Based on the above problem, select the correct answer.
(A) The terminationdoes not amount to retrenchment, hence no compensation.
(B) The terminationamounts to lay-off, hence compensation will be awarded.
(C) The termination amounts to retrenchment, hence compensation will be awarded.
(D) The termination violated the provisions under the Industrial Disputes Act, 1947, hence the compensation will be awarded.

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Ans :

(A) The terminationdoes not amount to retrenchment, hence no compensation.
Explanation: The definition of "retrenchment" under the Industrial Disputes Act, 1947, explicitly excludes termination of service as a result of disciplinary action. Since the workers were terminated for proven misconduct after a proper disciplinary enquiry, their termination is not considered retrenchment. Therefore, they are not entitled to retrenchment compensation under the Act.

80. Ms J, a banker refuses to honour cheque of Ms F. Though she was having sufficient balance yet it doesn't suffer any loss to Ms F. Ms F can file the case under which scenario?
(A) Volenti-non-fit-injuria
(B) Injuria-sine-damnum
(C) Damnum-sine-injuria
(D) Res-ipsa- loquitur

Ans :

(B) Injuria-sine-damnum
Explanation: "Injuria sine damnum" is a legal maxim which means injury without damage, or the infringement of a legal right without causing any actual loss. Wrongfully dishonoring a cheque is an infringement of the customer's legal right to have their cheque honored when sufficient funds are available. Even if no financial loss occurs, the legal right is violated, giving rise to a cause of action.

81. Mr B told Mr A to leave the premises in occupation of Mr A. When Mr A refused then Mr B collected some of his workmen who mustered round MrA. They tucking up their sleeves and aprons and threatened to break the plaintiff's neck, he did not leave. Under which tortious act, Mr A can file the case?
(A) False Imprisonment
(B) Assault
(C) Battery
(D) Hurt

Ans :

(B) Assault
Explanation: Assault in tort law is an act that creates a reasonable apprehension of imminent harmful or offensive contact. The actions of Mr. B's workmen—gathering around Mr. A, tucking up their sleeves, and issuing a verbal threat to break his neck—constitute a clear act of assault as it would cause a reasonable person to fear immediate physical harm.

82. Ms J knowing while taking the lift that driver Mr T was under the influence of alcohol. Consequently, car met with an accident and Ms J got injuries and she has filed the case for compensation. Which defence could be claimed by Mr T ?
(A) Volenti-non-fit-injuria
(B) Act of God
(C) Inevitable Accident
(D) Act of Necessity

Ans :

(A) Volenti-non-fit-injuria
Explanation: The maxim "Volenti non fit injuria" means "to a willing person, injury is not done." This is a defense in tort where the defendant argues that the plaintiff consented to the risk of injury. By knowingly accepting a ride from an intoxicated driver, Ms. J voluntarily assumed the associated risks, and Mr. T can raise this as a valid defense.

83. Mr K is owner of a building... Mr Y is owner of an adjacent cotton mill which erected after the occupation by Mr K. Owing to noise and smoke of the mill several rooms remain vacated that results into loss for Mr K. Examine relevant tort fors the case.
(A) Damnum-sine-injuria
(B) Trespass to lan'
(C) Nuisance
(D) Negligence

Ans :

(C) Nuisance
Explanation: Private nuisance is the unreasonable, unlawful, or substantial interference with a person's use or enjoyment of their land. The excessive noise and smoke emanating from Mr. Y's mill, which prevents Mr. K from letting out his rooms and causes him loss, is a classic example of nuisance as it interferes with Mr. K's enjoyment of his property.

84. There was a collision between two buses, one owned by the government and another was a private bus. Wherein private bus whe

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coming from wrong side and government bus was coming rashly, neither slowing dowy his bus after secing the other bus. Determine the tortious act.
(A) Private bus owner is negligent
(B) Govemment bus owner is negligent.
(C) Inevitable accident.
(D) Contributory negligence.

Ans :

(D) Contributory negligence.
Explanation: Contributory negligence occurs when the plaintiff's own negligence contributes to the harm they have suffered. In this case, both drivers were at fault: the private bus was on the wrong side, and the government bus was driving rashly and failed to take evasive action. Since the negligence of both parties contributed to the collision, it is a case of contributory negligence.

85. The term "Income" is described in the Income Tax Act, 1961 under
(A) Section 2 (24)
(B) Section 2 (40)
(C) Section 3
(D) Section 10E

Ans :

(A) Section 2 (24)
Explanation: Section 2(24) of the Income Tax Act, 1961, provides an inclusive, not exhaustive, definition of the term "income." This section lists various items that are to be considered as income for the purposes of the Act, such as profits and gains, dividends, voluntary contributions received by a trust, and winnings from lotteries.

86. Mr. X deposits 65,000 in the term deposit of 5 years with the Post Office to avail tax deduction under section 80 C. Assuming Mr. X does not opt for concessional tax regime u/s 115 BAC of the Income Tax Act, 1961. On the basis of the above problem, select the correct option.
(A) Mr. X is guilty of tax evasion/tax avoidance.
(B) Mr. X is not guilty of either taxevasion/tax avoidance.
(C) No tax deduction can be availed under Section 80 C.
(D) It is an unlawful act to treat a personal expenditure.

Ans :

(B) Mr. X is not guilty of either taxevasion/tax avoidance.
Explanation: Investing in a 5-year Post Office Time Deposit is a specified investment eligible for deduction under Section 80C of the Income Tax Act. This is a form of tax planning, which is a legitimate way to reduce tax liability by using the deductions and exemptions provided by law. It is not illegal tax evasion or impermissible tax avoidance.

87. Read the given statements and choose the correct option:
Statement 1: Agricultural income is exempt from tax under Section 10(1) of Income Tax Act, 1961.
Statement 2: Tax on Non-Agricultural in case of Non-Agricultural Income exceeds Basic Exemption limit and Agricultural Income exceeds 5000/- is determined by Scheme of Partial Integration of Non-Agricultural Income with Agricultural Income.
(A) Both the Statements are incorrect.
(B) Only Statement 1 is true.
(C) Only Statement 2 is true.
(D) Both the Statements are correct.

Ans :

(D) Both the Statements are correct.
Explanation: Statement 1 is correct; Section 10(1) of the Income Tax Act exempts agricultural income from taxation. Statement 2 is also correct; for individuals, if non-agricultural income exceeds the basic exemption limit and agricultural income exceeds ₹5,000, tax is calculated by a method called partial integration, which indirectly affects the tax rate on non-agricultural income.

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88. Rent-Free Accommodation provided by an employer to employee is ____.
(A) Perquisite as per Section 17(2) of the Income Tax Act
(B) Perquisite as per Section 16(2) of the Income Tax Act
(C) Allowance under Section 10(13A) of the Income Tax Act
(D) Allowance under Section 10(1) of the Income Tax Act

Ans :

(A) Perquisite as per Section 17(2) of the Income Tax Act
Explanation: Under the Income Tax Act, 1961, benefits provided by an employer to an employee in addition to salary are termed "perquisites." Section 17(2) specifically defines perquisites and includes the value of rent-free accommodation provided to the assessee by his employer. This value is then included in the employee's taxable salary income.

89. An agreement not enforceable by law is stated to be void under
(A) Section 2(d)
(B) Section 2(e)
(C) Section 2(f)
(D) Section 2(g)

Ans :

(D) Section 2(g)
Explanation: Section 2(g) of the Indian Contract Act, 1872, provides the definition of a void agreement. It explicitly states that "An agreement not enforceable by law is said to be void." This means that such an agreement has no legal effect and does not create any rights or obligations between the parties involved.

90. The concept of invalid guarantee is covered under Sections ---------
(A) 142-146
(B) 142-144
(C) 143-147
(D) 140-143

Ans :

(B) 142-144
Explanation: The Indian Contract Act, 1872, deals with circumstances under which a contract of guarantee is considered invalid. Section 142 covers guarantees obtained by misrepresentation, Section 143 covers guarantees obtained by concealment, and Section 144 deals with guarantees on contracts where a co-surety does not join. Thus, Sections 142-144 cover invalid guarantees.

91. "A", a real estate developer, entered into a contract with "B"... for the purchase of her property... after receiving the advance payment, B" refused to execute the sale deed... "A" demanded the enforcement of the contract under the Specific Relief Act, 1963... "A" has to file a suit in a court of law. On the basis of the above problem, select the correct answer.
(A) "A" may file a suit in the criminal court having the powers under the Bhartiya Nagarik Suraksha Sanhita, 2023.
(B) "A" may file a suit in the special court constituted under the Specific Relief Act, 1963.
(C) "A" may file a suit in the civil court having the powers under the Civil Procedure Code, 1908.
(D) No suit can be brought against "A" as there in no breach of contract.

Ans :

(C) "A" may file a suit in the civil court having the powers under the Civil Procedure Code, 1908.
Explanation: A suit for specific performance of a contract is a civil remedy. Such suits are filed in a civil court of appropriate jurisdiction (determined by the value and location of the property). The procedure for conducting the suit is governed by the Code of Civil Procedure, 1908, while the substantive relief is sought under the Specific Relief Act, 1963.

92. "A" transfers a piece of land to "B" on the condition that "B" shall not transfer the land to anyone else for the next 10 years... On the basis of the above problem, select the correct option.
(A) It amounts to Conditional Transfer of Property.
(B) It amounts to Conditional Limitations on Transfer of Property.
(C) It amounts to Subsequent Transfer of Property.
(D) It amounts to conditions precedent in the Transfer of Property.

Ans :

(B) It amounts to Conditional Limitations on Transfer of Property.
Explanation: This scenario involves a condition that restricts the transferee's (B's) right to alienate the property. Section 10 of the Transfer of Property Act, 1882, states that any condition that absolutely restrains the transferee from disposing of his interest in the property is void. A 10-year restriction may be considered a partial

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restraint, but it is fundamentally a conditional limitation on the transfer.

93. Mr. Rajesh issued a cheque of ₹ 50,000 to his supplier, Mr. Sharma... When Mr. Sharma deposited the cheque, it was returned by the bank with the remark "Insufficient Funds"... On the basis of the above problem, select the correct option.

(A) A complaint in writing is to be made by Mr. Sharma in the court within three months for the dishonour of the cheque.
(B) A complaint in writing is to be made by Mr. Sharma in the court within one month for the dishonour of the cheque.
(C) A complaint in writing is to be made by Mr. Sharma in the court within five months for the dishonour of the cheque.
(D) A complaint in writing is to be made by Mr. Sharma in the court within two months for the dishonour of the cheque.

Ans :

(B) A complaint in writing is to be made by Mr. Sharma in the court within one month for the dishonour of the cheque.
Explanation: Under Section 142 of the Negotiable Instruments Act, 1881, a complaint for the dishonor of a cheque must be filed within one month of the date on which the cause of action arises. The cause of action arises after the drawer fails to make payment within 15 days of receiving a demand notice from the payee.

94. Section 31 of the Specific Relief Act, 1963 is related to

(A) Perpetual injunction
(B) Rescission of contracts
(C) Cancellation of instruments
(D) Declaratory decrees

Ans :

(C) Cancellation of instruments
Explanation: Section 31 of the Specific Relief Act, 1963, deals with the remedy of "Cancellation of Instruments." It empowers a person, against whom a written instrument is void or voidable and who has a reasonable apprehension of serious injury if it is left outstanding, to sue to have it adjudged void or voidable and to have it delivered up and cancelled.

95. How the recovery of specific immovable property may be enforced ?

(A) A person entitled to the possession of specific immovable property may recover it in the manner provided by The Specific Relief Act, 1963.
(B) A person entitled to the possession of specific immovable property may recover it in the manner provided by the Transfer of Property Act, 1882.
(C) A person entitled to the possession of specific immovable property may recover it in the manner provided by the Code of Criminal Procedure, 1973.
(D) A person entitled to the possession of specific immovable property may recover it in the manner provided by the Code of Civil Procedure, 1908.

Ans :

(D) A person entitled to the possession of specific immovable property may recover it in the manner provided by the Code of Civil Procedure, 1908.
Explanation: Section 5 of the Specific Relief Act, 1963, states that a person entitled to the possession of specific immovable property may recover it in the manner provided by the Code of Civil Procedure, 1908. This means the procedural aspects of filing a suit for possession and executing the decree are governed by the CPC.

96. Which section of Law of Contract defines, "A proposal may be revoked at any time, before the communication of its acceptance is complete as against the proposer, but not afterwards." ?

(A) Section 5
(B) Section 4
(C) Section 6
(D) Section 7

Ans :

(A) Section 5
Explanation: Section 5 of the Indian Contract Act, 1872, deals with the revocation of proposals and acceptances. It explicitly states that a proposal can be revoked at any time before the communication of its acceptance is complete as against the proposer. Similarly, an acceptance

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can be revoked before its communication is complete as against the acceptor.

97. According to the Land Acquisition Act (Land Acquisition, Rehabilitation and Resettlement), 2013, governments can acquire land for :
(i) Strategic purpose.
(ii) Projects for Families Affected by Projects.
(iii) For public-private partnership projects, where government ownership of land will remain with the government.
(A) (i) & (ii)
(B) (ii) & (iii)
(C) (i) & (iii)
(D) (i), (ii) & (iii)

Ans :

(D) (i), (ii) & (iii)
Explanation: The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, defines "public purpose" broadly. This includes acquiring land for strategic purposes related to naval, military, or air force (i), for project-affected families (ii), and for public-private partnership (PPP) projects where government ownership is maintained (iii). All are valid grounds.

98. Land Acquisition Act, 2013 in India has replaced which earlier legislation ?
(A) Land Acquisition Act, 1956
(B) Land Acquisition Act, 1862
(C) Land Acquisition Act, 1894
(D) Land Acquisition Act, 1874

Ans :

(C) Land Acquisition Act, 1894
Explanation: The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, was enacted to replace the colonial-era Land Acquisition Act, 1894. The new law was introduced to provide a more just, humane, and transparent process for land acquisition while ensuring fair compensation and proper rehabilitation for affected families.

99. Soham, an independent software developer, created a mobile app called "FitLife" that provides personalized fitness plans. He registered the app's name and logo under trademark law... Soham discovered a competing app called "EitLyfe", with a similar logo and features... Soham believes the competing app... intentionally used a confusingly similar name and logo to mislead customers. ... Under trademark law, can Soham claim infringement for the use of a similar name and logo by the competing app ?
(A) Yes, if he can prove that the names are confusingly similar.
(B) No, because the competing app has a different name and logo.
(C) Yes, but only if the competitor is a small business.
(D) No, trademark infringement can only occur if there is identical copying.

Ans :

(A) Yes, if he can prove that the names are confusingly similar.
Explanation: Trademark infringement does not require identical copying. The key test is "deceptive similarity" or "likelihood of confusion." If the competing name ("FitLyfe") and logo are so similar to the registered trademark ("FitLife") that an average consumer would likely be confused or mistaken about the source or affiliation of the app, then it constitutes infringement.

100. What is the duration of copyright protection for literary works in India?
(A) 50 years from the creation of thevwork
(B) 60 years from the date of publichton
(C) Lifetime of the author plus 60 years
(D) 10 years from the date of first safe

Ans :

(C) Lifetime of the author plus 60 years
Explanation: According to the Indian Copyright Act, 1957, for literary, dramatic, musical, and artistic works, the term of copyright protection is the lifetime of the author plus 60 years following the calendar year of the author's death. This ensures that the author's heirs can benefit from the work for a significant period.

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ALL INDIA BAR EXAMINATION XVIII

1. The concept of freedom of trade and commerce mentioned in the Indian Constitution is motivated from the experience of the following country?
(A) America
(B) Australia
(C) Ireland
(D) United Kingdom

Ans :

(B) Australia
Explanation: The concept of freedom of trade, commerce, and intercourse throughout the territory of India, as enshrined in Part XIII of the Indian Constitution, is drawn from the Australian Constitution. This provision was adopted to ensure economic unity and prevent internal trade barriers between states, thereby fostering a unified national market.

2. Which of the following writ is issued to enforce the performance of public duties by the authority?
(A) Mandamus
(B) Quo warranto
(C) Certiorari
(D) Prohibition

Ans :

(A) Mandamus
Explanation: The writ of Mandamus, which literally translates to 'we command,' is a judicial remedy issued by a higher court to a lower court, tribunal, or public authority. It compels the performance of a specific public or statutory duty that the authority has a legal obligation to perform but has refused or failed to do so.

3. Which of the following Constitutional Amendment Act had made the provision for publishing Hindi Translation of the Constitution?
(A) 52nd Amendment
(B) 54th Amendment
(C) 56th Amendment
(D) 58th Amendment

Ans :

(D) 58th Amendment
Explanation: The Constitution (58th Amendment) Act, 1987, inserted Article 394-A into the Constitution of India. This article provided for an authoritative text of the Constitution in the Hindi language. It stipulated that the President shall cause to be published a translation of the Constitution in Hindi, which would be deemed its authoritative text.

4. Which of the following is the landmark judgment on the Colourable legislation?
(A) State of Bihar v Kameshwar Singh
(B) M. Karunanidhi v Union of India
(C) State of Karnataka v Union of India
(D) Keshavan Madhava Menon v State of Bombay

Ans :

(A) State of Bihar v Kameshwar Singh
Explanation: The doctrine of colourable legislation, which means that "what cannot be done directly, cannot be done indirectly," was extensively discussed in the case of State of Bihar v. Kameshwar Singh. The Supreme Court applied this doctrine to invalidate a law that appeared to be within legislative competence but was indirectly achieving an unconstitutional purpose.

5. Which of the following Constitutional Amendment Act was passed in light of the advisory opinion received in Re Berubari case?
(A) The Constitution (Fourth Amendment) Act, 1955
(B) The Constitution (Seventh Amendment) Act, 1956
(C) The Constitution (Ninth Amendment) Act, 1960
(D) The Constitution (Eleventh Amendment) Act, 1961

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Ans :

(C) The Constitution (Ninth Amendment) Act, 1960
Explanation: Following the Supreme Court's advisory opinion in the Re Berubari Union case, which stated that ceding Indian territory to a foreign state requires a constitutional amendment, Parliament enacted the 9th Constitutional Amendment Act, 1960. This amendment facilitated the transfer of the Berubari Union territory to Pakistan as per the Indo-Pakistan Agreement.

6. Which of the following provision of the Constitution of India is relevant for solving questions of repugnancy between a Central law and a State law?
(A) Article 248
(B) Article 252
(C) Article 254
(D) Article 256

Ans :

(C) Article 254
Explanation: Article 254 of the Constitution of India contains the doctrine of repugnancy. It resolves conflicts between laws made by the Parliament and laws made by State Legislatures on subjects in the Concurrent List. It states that if a State law is repugnant to a Central law, the Central law will prevail, and the State law will be void.

7. What transition period was provided in the Constitution of India for changing official language of Union from English to Hindi?
(A) 5 years
(B) 10 years
(C) 15 years
(D) 25 years

Ans :

(C) 15 years
Explanation: Article 343(2) of the Indian Constitution provided for a transition period of fifteen years from its commencement. During this period, the English language was to continue to be used for all official purposes of the Union for which it was being used before. This was intended to allow for a smooth transition to Hindi.

8. In which of the following case it was held that there could be no reservation on single post in the cadre?
(A) Chakradhar Paswan v State of Bihar
(B) K.C. Vasanth Kumar v State of Karnataka
(C) A.B.S.K. Sangh (Rly) v Union of India
(D) State of Kerala v N.M. Thomas

Ans :

(A) Chakradhar Paswan v State of Bihar
Explanation: In the case of Chakradhar Paswan v. State of Bihar, the Supreme Court ruled that the policy of reservation under Article 16(4) cannot be applied to a single, isolated post within a cadre. The court reasoned that applying reservation to a single post would amount to 100% reservation, which is constitutionally impermissible.

9. Sexual harassment of a working woman at her place of work may also be considered as the violation of which of the following provision of the Constitution of India?
(A) Article 19(1) (b)
(B) Article 19(1)(d)
(C) Article 19(1)(e)
(D) Article 19(1)(g)

Ans :

(D) Article 19(1)(g)
Explanation: In the landmark case of Vishaka v. State of Rajasthan, the Supreme Court held that sexual harassment at the workplace violates the fundamental rights under Articles 14, 15, and 21. It also infringes upon the right under Article 19(1)(g), which provides for the freedom to practice any profession or carry on any occupation.

10. Which of the following doctrine has been applied to resolve the conflict between Article 25(2)(b) and 26(b) of the Constitution of India?
(A) Doctrine of Harmonious construction
(B) Doctrine of Casus Omissus
(C) Doctrine of Liberal interpretation
(D) Doctrine of Pith and substance

Ans :

(A) Doctrine of Harmonious construction
Explanation: The Doctrine of Harmonious Construction is a principle of interpretation used to resolve conflicts between two provisions of a

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statute or the Constitution. Courts have applied this doctrine to harmonize the state's power for social welfare and reform under Article 25(2)(b) with a religious denomination's right to manage its own affairs under Article 26(b).

11. In which of the following situations Indian Penal Code, 1860 may not apply?
i. An offence committed by Indians outside India.
ii. An offence committed by any person on any ship registered in India.
iii. Any person committing offence targeting computer resources located in any country.
(A) Only i
(B) Only ii
(C) Only iii
(D) Only i & ii

Ans :

(C) Only iii
Explanation: This question was withdrawn, likely due to ambiguity. The IPC has extraterritorial jurisdiction under Section 4 for situations (i) and (ii). Situation (iii) is primarily governed by the Information Technology Act, 2000, which has its own extraterritorial application rules. The overlap and the specific wording of the options make a single correct answer difficult to determine.

12. How many types of punishment are currently existing under the Indian Penal Code, 1860 ?
(A) 3
(B) 4
(C) 5
(D) 6

Ans :

(C) 5
Explanation: Section 53 of the Indian Penal Code, 1860, currently prescribes five distinct types of punishments. These are: Death, Imprisonment for life, Imprisonment (which can be rigorous or simple), Forfeiture of property, and Fine. Transportation for life, originally a punishment, was abolished and substituted with imprisonment for life.

13. A and Z agree to fence with each other for amusement. In the course of such fencing, while playing fairly, A hurts Z severely. Which of the following offence is committed by A?
(A) Hurt
(B) Attempt to murder
(C) Grievous hurt
(D) No offence

Ans :

(D) No offence
Explanation: This scenario is covered by the exception of consent under Section 87 of the IPC. Since A and Z mutually consented to the activity of fencing for amusement, and the harm was not intended or known to be likely to cause death or grievous hurt, A has committed no offence. The act falls within the implied risks of the game.

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14. In which of the following situations right of private defence can not extend to causing death?
(A) In case when an assault is causing apprehension of murder.
(B) In case when assault is reflecting intention of committing rape.
(C) In case when assault is reflecting intention of causing simple hurt.
(D) In case when assault is reflecting intention of gratifying unnatural lust.

Ans :

(C) In case when assault is reflecting intention of causing simple hurt.
Explanation: Section 100 of the IPC specifies the circumstances where the right of private defense of the body extends to voluntarily causing death. These include assaults causing apprehension of death, grievous hurt, rape, or gratifying unnatural lust. An assault intended only to cause simple hurt does not justify causing the assailant's death.

15. For which of the following Section of the Indian Penal Code, 1860 the word benefit does not include pecuniary benefits?
(A) Section 89
(B) Section 155
(C) Section 156
(D) Section 370

Ans :

(A) Section 89

Explanation: Section 89 of the IPC deals with acts done in good faith for the benefit of a child or person of unsound mind by consent of the guardian. The term 'benefit' in this context is interpreted to mean the well-being of the person, such as medical treatment, and not pecuniary or monetary gain.

16. X intentionally pulls up a woman's veil without her consent intending to annoy her. As per the Indian Penal Code, 1860 which of the following offence he has committed?
(A) Hurt
(B) Criminal force
(C) Assault
(D) Grievous hurt

Ans :

(B) Criminal force
Explanation: According to Section 350 of the IPC, using force intentionally without consent to cause injury, fear, or annoyance constitutes criminal force. Pulling the veil is an application of force, and because it was done with the intent to annoy the woman, it falls squarely within the definition of criminal force, not merely assault or hurt.

17. What punishment is prescribed under the Indian Penal Code, 1860 for a person who maims any minor in order that such minor may be used for the purposes of begging?
(A) Imprisonment for 5 years and fine
(B) Imprisonment for 7 years and fine
(C) Imprisonment for 10 years and fine
(D) Imprisonment for life and fine

Ans :

(D) Imprisonment for life and fine
Explanation: Section 363A of the IPC specifically addresses the heinous offence of maiming a minor for the purposes of begging. It prescribes a severe punishment for this act: imprisonment for life. The offender shall also be liable to a fine, reflecting the gravity of exploiting and permanently disabling a minor for personal gain.

18. X threatens to publish a defamatory libel concerning Y unless Y gives him money. Which of the following punishment may be given to X for the act committed by him as per the Indian Penal Code, 1860?
(A) Imprisonment upto 2 years, or with fine or with both.
(B) Imprisonment upto 3 years, or with fine or with both.
(C) Imprisonment upto 5 years, or with fine or with both.
(D) Imprisonment upto 7 years, or with fine or with both.

Ans :

(A) Imprisonment upto 2 years, or with fine or with both.
Explanation: The act committed by X falls under Section 385 of the Indian Penal Code, 1860. This section deals with putting a person in fear of injury in order to commit extortion. The threat to publish a defamatory libel constitutes a threat of injury to reputation. The punishment prescribed under Section 385 is imprisonment up to two years, or a fine, or both.

19. Which of the following sentence is an Assistant Sessions Judge authorised to pass as per the Code of Criminal Procedure, 1973 ?
(A) Sentence of death.
(B) Sentence of imprisonment for life.
(C) Sentence of imprisonment for a term not exceeding ten years.
(D) Sentence of imprisonment for a term exceeding ten years.

Ans :

(C) Sentence of imprisonment for a term not exceeding ten years.
Explanation: According to Section 28(3) of the Code of Criminal Procedure, 1973, an Assistant Sessions Judge is authorized to pass any sentence sanctioned by law, except for a sentence of death, imprisonment for life, or imprisonment for a term exceeding ten years. Their sentencing power is therefore capped at a maximum of ten years' imprisonment.

20. A person arrested by a private person for committing a non-bailable and cognizable offence shall be re-arrested by a police officer if such person comes under which of the following provision of the Code of Criminal Procedure, 1973 ?
(A) Section 41

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(B) Section 41A
(C) Section 42
(D) Section 43

Ans :

(D) Section 43
Explanation: Section 43 of the CrPC governs arrest by a private person. After a private person makes an arrest, they must hand the individual over to a police officer. Section 43(3) mandates that if there is reason to believe the arrested person falls under the provisions of Section 41 (which outlines when police may arrest without a warrant), the police officer must re-arrest him.

21. Under which of the following situation wife is not entitled for maintenance under Section 125 of the Code of Criminal Procedure, 1973 ?
(A) Husband presumes that wife is living in adultery.
(B) Voluntarily wife refuses to live with husband.
(C) Wife living separately as husband keeps a mistress.
(D) Wife is forcefully removed from the house.

Ans :

[Withdrawn]
Explanation: This question was likely withdrawn because the options are not precise. Under Section 125(4) of the CrPC, a wife is not entitled to maintenance if she is living in adultery, or if she refuses to live with her husband without any sufficient reason. Option (B) is ambiguous as "voluntarily" does not necessarily mean "without sufficient reason."

22. Which of the following procedure is dealt under Section 164-A of the Code of Criminal Procedure, 1973 ?
(A) Medical examination of the victim of rape.
(B) Attendance of witness by police officer.
(C) Recording of confession statement.
(D) Recording of first information report by police officer.

Ans :

(A) Medical examination of the victim of rape.
Explanation: Section 164-A of the CrPC was introduced to mandate the medical examination of a rape victim. It outlines the procedure for a registered medical practitioner to examine the victim with her consent (or the consent of a competent person on her behalf) soon after the offence is reported and to prepare a detailed report of the examination.

23. Which of the following is incorrect with respect to diary of proceedings in investigation as per the Code of Criminal Procedure, 1973 ?
(A) The statements of witnesses recorded during investigation shall be inserted in the diary.
(B) The diary shall be duly paginated.
(C) The diary may be used as evidence.
(D) Can be used by the police officers to refresh memory.

Ans :

(C) The diary may be used as evidence.
Explanation: Section 172(2) of the CrPC explicitly states that a criminal court may use the case diary not as evidence in the case, but to aid it in the inquiry or trial. Section 172(3) further clarifies that neither the accused nor their agents are entitled to see the diary, establishing its role as an aid for the court, not substantive evidence.

24. In which of the following cases manner of committing offence is not required to be mentioned in the charge as per the Code of Criminal Procedure, 1973?
(A) A is accused of the theft of a certain article at a certain time and place.
(B) A is accused of cheating B at a given time and place.
(C) A is accused of disobeying a direction of the law with intent to save B from punishment.
(D) A is accused of giving false evidence at a given time and place.

Ans :

(A) A is accused of the theft of a certain article at a certain time and place.
Explanation: According to Section 213 of the CrPC, the manner of committing the offence must be stated only if the particulars mentioned in Sections 211 and 212 do not give the accused sufficient notice. For a simple charge of theft, stating the article, time, and place is generally considered sufficient notice without detailing the manner of the theft.

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25. Which of the following offences may be tried summarily as per the Code of Criminal Procedure, 1973 ?
(A) Offence under Section 454 of the IPC.
(B) Offence under Section 504 of the IPC.
(C) Offence punishable with imprisonment for a term not exceeding two years.
(D) Offence punishable with life imprisonment.

Ans :

[Withdrawn]
Explanation: This question was likely withdrawn due to ambiguity. Section 260 of the CrPC allows summary trials for offences not punishable with death, life imprisonment, or imprisonment exceeding two years. Both option (B), an offence under IPC Section 504 (punishable up to two years), and option (C), a general category of offences punishable up to two years, fit this description.

26. Which of the following Section of the Code of Criminal Procedure, 1973 provides for reference to High Court?
(A) Section 275
(B) Section 325
(C) Section 383
(D) Section 395

Ans :

(D) Section 395
Explanation: Section 395 of the Code of Criminal Procedure, 1973, outlines the procedure for reference to the High Court. It allows a lower court to refer a question regarding the validity of any Act, Ordinance, or Regulation for the decision of the High Court if the lower court deems it necessary for the case's disposal.

27. A person accused of the following offence may not be granted bail under Section 438 of the Code of Criminal Procedure, 1973:
i Accused of offence under Section 376AB of the IPC.
ii Accused of offence under Section 376DA of the IPC.
iii Accused of offence under Section 376DB of the IPC.
(A) i & ii
(B) ii & iii
(C) iii & i
(D) i, ii & iii

Ans :

(D) i, ii & iii
Explanation: Section 438(4) of the CrPC, inserted by the Criminal Law (Amendment) Act, 2018, explicitly bars the grant of anticipatory bail to individuals accused of committing rape on a woman under twelve years (376AB) or gang rape on a woman under sixteen years (376DA) or twelve years (376DB) of age.

28. Which of the following act if done by any Magistrate, even in good faith without being empowered, shall vitiate the proceedings as per the Code of Criminal Procedure, 1973 ?
(A) Tender a pardon under Section 306 of CrPC.
(B) Recall a case and try it under Section 410 of the CrPC.
(C) Attaches property under Section 83 of the CrPC.
(D) Hold an inquest under Section 176 of the CrPC.

Ans :

[Withdrawn]
Explanation: This question refers to irregularities which vitiate proceedings, listed under Section 461 of the CrPC. These are acts that, if done by a Magistrate not empowered by law, render the proceedings void. Recalling a case and trying it himself (under Section 410) is one such irregularity. The question was likely withdrawn due to potential confusion with other options.

29. Which of the following is material for deciding the jurisdiction of the Civil Court in the light of the Code of Civil Procedure, 1908 ?
(A) Averments made in the plaint
(B) Averments made in the written statement
(C) Both (A) & (B)
(D) Neither (A) nor (B)

Ans :

(A) Averments made in the plaint
Explanation: It is a well-settled principle of law that the jurisdiction of a civil court is determined by the allegations (averments) made in the plaint. The court must examine the plaint in its entirety to ascertain the nature of the suit and the relief claimed. The defendant's statements in the written statement cannot oust the court's jurisdiction.

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30. Which of the following cannot be considered as the suit of civil nature for Section 9 of the Code of Civil Procedure, 1908 ?
(A) Suit for recovery of voluntary payments or offerings.
(B) Suit for rights of franchise.
(C) Suit for specific reliefs.
(D) Suit relating to rights of worship.

Ans :

(A) Suit for recovery of voluntary payments or offerings.
Explanation: Section 9 of the CPC grants civil courts jurisdiction to try all suits of a civil nature, except those expressly or impliedly barred. Suits involving principal questions relating to caste or religious rights are not suits of a civil nature. A suit for the recovery of purely voluntary payments or offerings is not maintainable as it lacks a legal right to claim them.

31. Which of the following provision of the Code of Civil Procedure, 1908 makes the doctrine of res judicata applicable in representative suit?
(A) Section 11, Explanation V
(B) Section 11, Explanation VI
(C) Section 11, Explanation VII
(D) Section 11, Explanation VIII

Ans :

(B) Section 11, Explanation VI
Explanation: Explanation VI to Section 11 of the CPC extends the doctrine of res judicata to representative suits. It provides that where persons litigate bona fide in respect of a public right or a private right claimed in common for themselves and others, all persons interested in such right shall be deemed to claim under the persons so litigating.

32. In which of the following situations a court will not issue summons for personal appearance to the defendant ?
(A) If defendant reside within the local limit of the court's jurisdiction.
(B) If defendant resides with within 40 miles from the court.
(C) If defendant resides 250 miles away from the court in an area having public conveyance available.
(D) Woman to whom Section 132 of the Civil Procedure Code, 1908 does not apply.

Ans :

(C) If defendant resides 250 miles away from the court in an area having public conveyance available.
Explanation: As per Section 27 of the CPC read with Order 5, the court has discretion. However, Section 133 exempts certain persons from personal appearance. Generally, personal attendance is not compelled if the person resides outside the court's local jurisdiction and more than 50 miles (or 200 miles if public conveyance is available) from the courthouse.

33. In which of the following situation plaintiff is precluded from bringing a fresh suit as per the Code of Civil Procedure, 1908 ?
(A) Dismissal of suit where summons not served in consequence of plaintiff's failure to pay costs.
(B) Dismissal of suit because neither party appeared.
(C) Dismissal of suit in because plaintiff did not appear.
(D) Dismissal of suit because plaintiff did not apply for fresh summons within given time limit once it returned unserved.

Ans :

(C) Dismissal of suit in because plaintiff did not appear.
Explanation: Under Order 9, Rule 9 of the CPC, if a suit is dismissed under Rule 8 (where the plaintiff does not appear when the suit is called for hearing), the plaintiff is barred from bringing a fresh suit on the same cause of action. However, they may apply to have the dismissal set aside.

34. How many times at max. may an adjournment be granted to a party during hearing of the suit as per the Code of Civil Procedure, 1908 ?
(A) Two times
(B) Three times
(C) Four times
(D) No limit prescribed

Ans :

(B) Three times
Explanation: The proviso to Order 17, Rule 1 of the CPC, introduced by the 2002 amendment, states that no adjournment shall be granted

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more than three times to a party during the hearing of the suit. This provision was added to curb delays and ensure the speedy disposal of cases.

35. Which of the following Amendment Act made the provision in the Code of Civil Procedure, 1908 to produce a witness without a summons?
(A) The Code of Civil Procedure (Amendment) Act, 1976
(B) The Code of Civil Procedure (Amendment) Act, 1999
(C) The Code of Civil Procedure (Amendment) Act, 2002
(D) Such provision does not exist.

Ans :

(A) The Code of Civil Procedure (Amendment) Act, 1976
Explanation: The CPC (Amendment) Act of 1976 inserted Order 16, Rule 1A. This provision allows any party to a suit to bring any witness to give evidence or to produce documents without applying for a summons under Rule 1. This facilitates the examination of willing witnesses without the formal process of issuing summons.

36. Which of the following is not included in the word costs as provided under the Code of Civil Procedure, 1908 ?
(A) The expenses of the witnesses incurred.
(B) Legal fees and expenses incurred.
(C) Fooding and lodging expenses incurred.
(D) Any other expenses incurred in connection with the proceedings.

Ans :

(C) Fooding and lodging expenses incurred.
Explanation: Section 35 of the CPC deals with costs. While costs generally cover expenses incurred for the proceedings, such as witness expenses and legal fees, they do not typically include the personal fooding and lodging expenses of the parties themselves. These are considered personal costs, not legal costs directly related to the litigation process.

37. What period is prescribed under the Code of Civil Procedure, 1908 for defendant to enter an appearance for filing address for service of notice on him in case of a suit where summary procedure is to be applied?
(A) Seven days from the date of receiving of summons.
(B) Ten days from the date of receiving of summons.
(C) Fifteen days from the date of receiving of summons.
(D) Thirty days from the date of receiving of summons.

Ans :

(B) Ten days from the date of receiving of summons.
Explanation: Under Order 37, Rule 2(3) of the CPC, which deals with summary procedure, the defendant is required, within ten days from the service of the summons, to enter an appearance. This is a strict timeline that must be adhered to in suits filed under this Order to expedite the trial process.

38. Under which of the following provisions of the Code of Civil Procedure, 1908 the appellate court may remit an issue for trial to lower court?
(A) Order XLI Rule 23
(B) Order XLI Rule 23-A
(C) Order XLI Rule 24
(D) Order XLI Rule 25

Ans :

(D) Order XLI Rule 25
Explanation: This question was likely withdrawn because both Rule 23 (remand of case) and Rule 25 (framing issue and referring it for trial) deal with sending matters back to the trial court. Rule 25 specifically allows the appellate court to frame issues and refer them for trial to the lower court, making it a very strong candidate, but the overall context could be confusing.

39. A is accused of the murder of B by beating him. Which of the following will not be considered as relevant fact forming part of the same transaction as per the Indian Evidence Act, 1872 ?
(A) Whatever said by A or B at the time of beating.
(B) Whatever done by A or B at the time of beating.
(C) Whatever said by by-standers at the time of beating.
(D) Whatever said by A or B a day before the day of beating.

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Ans :

(D) Whatever said by A or B a day before the day of beating.
Explanation: Section 6 of the Indian Evidence Act deals with the relevancy of facts forming part of the same transaction (res gestae). Statements made or acts done at the time of the beating, including those by bystanders, are closely connected to the main event. However, a conversation from the previous day is too remote to be considered part of the same transaction.

40. Which of the following provisions of the Indian Evidence Act, 1872 says that the confession to police-officer shall not be proved against him?
(A) Section 24
(B) Section 25
(C) Section 26
(D) Section 27

Ans :

(B) Section 25
Explanation: Section 25 of the Indian Evidence Act, 1872, explicitly states that "No confession made to a police officer shall be proved as against a person accused of any offence." This is a protective provision to prevent coerced confessions and ensure the reliability of evidence, making such confessions inadmissible in court.

41. Under which of the following provision of the Indian Evidence Act, 1872 dying declaration may be admitted as evidence?
(A) Section 25
(B) Section 29
(C) Section 32
(D) Section 37

Ans :

(C) Section 32
Explanation: Section 32(1) of the Indian Evidence Act, 1872, deals with the admissibility of a dying declaration. It makes a statement by a person, who is dead, as to the cause of his death, or as to any of the circumstances of the transaction which resulted in his death, relevant and admissible in evidence.

42. Which of the following is correct according to the Indian Evidence Act, 1872 pertaining to proof of contents of the documents?
(A) Contents of the documents shall be proved by primary evidence.
(B) Contents of the documents may be proved by secondary evidence.
(C) Contents of the documents shall be proved by both primary and secondary evidence.
(D) Contents of documents may be proved either by primary or by secondary evidence.

Ans :

(D) Contents of documents may be proved either by primary or by secondary evidence.
Explanation: Section 61 of the Indian Evidence Act states that the contents of documents may be proved either by primary or by secondary evidence. Section 62 defines primary evidence as the document itself. Section 64 stipulates that documents must be proved by primary evidence, except in the cases mentioned in Section 65, which permit secondary evidence.

43. Which of the following is a correct statement as per the Indian Evidence Act, 1872 ?
(A) Leading questions may be asked in examination-in-chief.
(B) Leading questions may be asked in cross-examination.
(C) Leading questions may be asked in re-examination.
(D) Leading question cannot be asked in cross-examination.

Ans :

(B) Leading questions may be asked in cross-examination.
Explanation: According to Section 143 of the Indian Evidence Act, 1872, leading questions (those which suggest the answer) may be asked in cross-examination. Sections 141 and 142 generally prohibit asking leading questions during examination-in-chief or re-examination, except with the permission of the court under specific circumstances.

44. In which of the following case did the Supreme Court of India clarify the admissibility of electronic record as evidence?
(A) Anvar P.V. v P.K. Basheer
(B) State of Haryana v Jai Singh
(C) State of Maharashtra v Natwarlal Damodardas Soni
(D) State of Punjab v Jagir Singh

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Ans :

(A) Anvar P.V. v P.K. Basheer
Explanation: In the landmark case of Anvar P.V. v. P.K. Basheer (2014), the Supreme Court of India clarified the law on the admissibility of electronic records. The Court held that the special provisions of Section 65B of the Indian Evidence Act are a complete code in themselves and must be complied with for an electronic record to be admissible as evidence.

45. Which of the following is incorrect statement in the light of Indian Evidence Act, 1872 ?
(A) Confession always go against a person making it.
(B) Admissions are conclusive as to the matters admitted.
(C) Admissions may operate as an estoppel.
(D) Confession is statement written or oral which is direct admission of suit.

Ans :

(B) Admissions are conclusive as to the matters admitted.
Explanation: Section 31 of the Indian Evidence Act states that admissions are not conclusive proof of the matters admitted, but they may operate as estoppels. This means that while an admission is strong evidence against the person making it, it is not final and can be explained or proven to be untrue. Therefore, the statement in option (B) is incorrect.

46. Which of the following Section of the Indian Evidence Act, 1872 is an exception to the hearsay rule?
(A) Section 32 (1)
(B) Section 32 (2)
(C) Section 32 (3)
(D) Section 32 (5)

Ans :

(A) Section 32 (1)
Explanation: The hearsay rule generally bars out-of-court statements from being used as evidence. Section 32(1) of the Indian Evidence Act, which pertains to dying declarations, is a significant exception. It allows the statement of a deceased person about the cause of their death to be admitted as evidence, even though it is technically hearsay.

47. Which of the following is not a recognized alternate dispute resolution mechanism under the Code of Civil Procedure, 1908 ?
(A) Arbitration
(B) Conciliation
(C) Lok Adalat
(D) Negotiation

Ans :

(D) Negotiation
Explanation: Section 89 of the Code of Civil Procedure, 1908, empowers courts to refer disputes to alternate dispute resolution (ADR) mechanisms. The section explicitly lists Arbitration, Conciliation, judicial settlement including settlement through Lok Adalat, and Mediation. Negotiation, being an informal process directly between parties without a neutral third party, is not formally listed as a court-referred mechanism under this section.

48. Which of the following is incorrect statement with respect to Lok Adalat ?
(A) No court fee is required in Lok Adalat.
(B) Lok Adalat can deal with all civil & criminal matters.
(C) Award of Lok Adalat is a deemed decree.
(D) No appeal against the award of Lok Adalat is allowed.

Ans :

(B) Lok Adalat can deal with all civil & criminal matters.
Explanation: The jurisdiction of a Lok Adalat is limited. According to the Legal Services Authorities Act, 1987, a Lok Adalat cannot take cognizance of any case or matter relating to an offence which is not compoundable under any law. Therefore, it cannot deal with all criminal matters, making this statement incorrect.

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49. Which of the following is incorrect with respect to arbitration agreement as per the Arbitration and Conciliation Act, 1996 ?
(A) Arbitration agreement may be written as well as oral.
(B) Arbitration agreement may be in the form of a separate agreement.
(C) Arbitration agreement may be in the form of an arbitration clause in a contract.
(D) Arbitration agreement may be for all or certain disputes which may arise between

the parties.

Ans :

(A) Arbitration agreement may be written as well as oral.
Explanation: Section 7 of the Arbitration and Conciliation Act, 1996, explicitly requires an arbitration agreement to be in writing. An oral agreement to arbitrate is not recognized or enforceable under the Act. The agreement can be a separate document or a clause within a larger contract, but its written form is mandatory.

50. In which of the following circumstances an arbitrator may not be challenged as per the Arbitration and Conciliation Act, 1996?
(A) When a justifiable doubt as to his independence arises.
(B) When a justifiable doubt as to his impartiality arises.
(C) When he possesses the qualifications agreed by the party.
(D) When he becomes ineligible as per the seventh schedule of the Act.

Ans :

(C) When he possesses the qualifications agreed by the party.
Explanation: Under Section 12 of the Arbitration and Conciliation Act, 1996, an arbitrator can be challenged if circumstances exist that give rise to justifiable doubts about their independence or impartiality, or if they do not possess the qualifications agreed to by the parties. Possessing the agreed-upon qualifications is a reason not to challenge the arbitrator.

51. When may two persons be said to be related to each other by half-blood in accordance with the Hindu Marriage Act, 1955?
(A) When they are descended from a common ancestor by the same wife.1
(B) When they are descended from a common ancestor by different wives.2
(C) When they are descended from a common ancestress by different husbands.3
(D) When they are not descended from a common ancestor at all4.

Ans :

(B) When they are descended from a common ancestor by different wives.
Explanation: Section 3(c) of the Hindu Marriage Act, 1955, defines "half-blood" relationship. Two persons are related by half-blood when they are descended from a common ancestor but by different wives. This distinguishes it from full-blood (same parents) and uterine blood (same mother, different fathers).

52. Which of the following is generally not considered as a valid condition for a Hindu marriage as per the Hindu Marriage Act, 1955 ?
(A) The parties should not have a spouse living at the time of the marriage.
(B) The parties should be within the degrees of prohibited relationship.
(C) The parties should not be sapindas of each other.
(D) The parties should not be suffering from epilepsy.

Ans :

(B) The parties should be within the degrees of prohibited relationship.
Explanation: Section 5 of the Hindu Marriage Act, 1955, lays down the conditions for a valid Hindu marriage. One of the key conditions is that the parties must not be within the degrees of prohibited relationship, unless the custom or usage governing each of them permits such a marriage. Therefore, being within this relationship is a bar, not a valid condition.

53. Section 13(1) of the Hindu Marriage Act, 1955 provides for the following:
i Grounds for restitution of conjugal rights
ii Grounds for judicial separation
iii Grounds for divorce
(A) i & ii
(B) ii & iii
(C) iii & i
(D) Only iii

Ans :

(D) Only iii
Explanation: Section 13(1) of the Hindu Marriage Act, 1955, exclusively lists the grounds on which a husband or wife can present a petition for a decree of divorce. Grounds for restitution of conjugal rights are provided under Section 9, and grounds for judicial separation are detailed in Section 10 of the Act.

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54. What is the meaning of the batil marriage in Muslim Law?
(A) Valid marriage
(B) Void marriage
(C) Voidable marriage
(D) Irregular marriage

Ans :

(B) Void marriage
Explanation: In Muslim Law, a 'Batil' marriage is one that is unlawful in itself and void ab initio (from the beginning). Such a marriage does not create any civil rights or obligations between the parties. It is considered a nullity and has no legal effect, typically occurring when there is a permanent and absolute prohibition against the union.

55. What is 'a contract of marriage which may be dissolved by the wife under a power delegated to her' called under the Muslim Law?
(A) Talaq-us-sunnat.
(B) Talaq-ul-biddat
(C) Talaq-i-tafweez
(D) Talaq-a-hasan

Ans :

(C) Talaq-i-tafweez
Explanation: Talaq-i-tafweez is a form of divorce in Muslim law where the husband delegates the power of divorce to his wife or a third person. The wife can then pronounce divorce under the conditions specified in the agreement (nikahnama). This delegated power allows the wife to dissolve the marriage on her own initiative.

56. A Hindu boy and a Hindu girl may be married under the following law:5
i The Hindu Marriage Act, 19556
ii The Special Marriage Act, 19547
(A) Only i is correct.8
(B) Only ii is correct.9
(C) Both i and ii are correct.10
(D) Neither i nor ii is cor11rect.

Ans :

(C) Both i and ii are correct.
Explanation: Two Hindus can marry under the provisions of the Hindu Marriage Act, 1955, which governs marriages between Hindus. Alternatively, they can also opt for a civil marriage under the Special Marriage Act, 1954, which allows any two persons, irrespective of their religion, to marry without religious ceremonies.

57. Through which of the following Amendment Act the rights in the coparcenary property is made available to a girl child as well?
(A) The Hindu Succession (Amendment) Act, 2002
(B) The Hindu Succession (Amendment) Act, 2004
(C) The Hindu Succession (Amendment) Act, 2005
(D) The Hindu Succession (Amendment) Act, 2006

Ans :

(C) The Hindu Succession (Amendment) Act, 2005
Explanation: The Hindu Succession (Amendment) Act, 2005, was a landmark legislation that amended Section 6 of the Hindu Succession Act, 1956. It granted daughters the same rights in the coparcenary property as sons, making them coparceners by birth in their own right. This removed the gender discrimination that previously existed in matters of inheritance.

58. What should be the age difference between the adoptive father and his adopted daughter for a valid adoption?
(A) 15 years
(B) 18 years
(C) 21 years
(D) No specific age difference required.

Ans :

(C) 21 years
Explanation: According to Section 11(iii) of the Hindu Adoptions and Maintenance Act, 1956, if a Hindu male is adopting a female child, the adoptive father must be at least twenty-one years older than the person to be adopted. This provision aims to ensure a clear parental relationship and prevent misuse of the adoption process.

59. Which of the following case may be considered as the first reported case of PIL in India ?
(A) S.P. Gupta v Union of India
(B) Hussainara Khatoon v State of Bihar

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(C) M.C. Mehta v Union of India
(D) Kalyaneshwari v Union of India

Ans :

(B) Hussainara Khatoon v State of Bihar
Explanation: Hussainara Khatoon v. State of Bihar (1979) is widely regarded as the first reported case of Public Interest Litigation (PIL) in India. The case was filed based on newspaper reports highlighting the plight of undertrial prisoners in Bihar who had been languishing in jail for long periods, leading to their release and establishing the right to a speedy trial.

60. Who among the following is considered as the father of PIL in India?
(A) Justice S.R. Das
(B) Justice V.R. Krishna Iyer
(C) Justice P.N. Bhagwati
(D) Justice H.R. Khanna

Ans :

(C) Justice P.N. Bhagwati
Explanation: Justice P.N. Bhagwati is widely acclaimed as the "Father of Public Interest Litigation (PIL)" in India. Along with Justice V.R. Krishna Iyer, he played a pivotal role in relaxing the traditional rule of 'locus standi,' allowing public-spirited citizens to file petitions on behalf of the poor, oppressed, and marginalized, thereby making justice more accessible.

61. Against which of the following a PIL cannot be filed?
(A) Against a State Government
(B) Against Central Government
(C) Against a private party
(D) Against Municipal Corporation

Ans :

(C) Against a private party
Explanation: Generally, a Public Interest Litigation (PIL) is maintainable against a 'State' or 'public authority' as defined under Article 12 of the Constitution. A PIL cannot be filed against a private party alone. However, a private party can be included as a respondent if they are acting in collusion with a public authority, violating fundamental rights.

62. In the light of the guidelines issued by the Supreme Court of India on which of the following issue a PIL cannot be entertained by the Court?
(A) Bonded labour matters.
(B) Petition from jail for pre-mature release.
(C) Matters pertaining to neglected children.
(D) Petitions against police for refusing to register a case.

Ans :

(B) Petition from jail for pre-mature release.
Explanation: The Supreme Court has issued guidelines outlining categories where PILs are generally not entertained. These include landlord-tenant matters, service matters, and petitions for early hearing of cases. A petition from jail for pre-mature release is typically considered a personal grievance and is handled through regular criminal appeal or writ procedures, not as a PIL.

63. In which of the following landmark case it was held that Principles of Natural Justice were applicable not only to judicial and quasi-judicial functions, but also to administrative functions?
(A) A.K. Kraipak v Union of India
(B) Ram Jawaya Kapoor v State of Punjab
(C) Sonik Industries Rajkot v Municipal Corporation, Rajkot
(D) Maneka Gandhi v Union of India

Ans :

(D) Maneka Gandhi v Union of India
Explanation: While A.K. Kraipak blurred the lines, it was the landmark judgment in Maneka Gandhi v. Union of India (1978) that firmly established that the principles of natural justice are an integral part of administrative functions. The court held that any procedure affecting life or personal liberty must be right, just, and fair, not arbitrary or oppressive.

64. In which of the following judgment the Supreme Court had comprehensively reconsidered S.P. Sampath Kumar v Union of India case?
(A) J.B. Chopra v Union of India
(B) L. Chandra Kumar v Union of India
(C) R.K. Jain v Union of India
(D) S.K. Sarkar v Vinay Chandra Mishra

Ans :

(B) L. Chandra Kumar v Union of India

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Explanation: In L. Chandra Kumar v. Union of India (1997), a seven-judge bench of the Supreme Court reconsidered its earlier decision in S.P. Sampath Kumar. It held that the power of judicial review of High Courts and the Supreme Court over legislative action is part of the basic structure of the Constitution and cannot be ousted by creating tribunals.

65. Who among the following defined administrative law as 'the law relating to the control of governmental power'?
(A) Ivor Jennings
(B) Wade
(C) K.C. Davis
(D) Garner

Ans :

(B) Wade
Explanation: Sir William Wade, a prominent administrative lawyer, defined administrative law as 'the law relating to the control of governmental power'. His definition emphasizes the primary function of administrative law, which is to ensure that public authorities act within their legal boundaries and to provide remedies for individuals affected by unlawful administrative actions.

66. What penalty is prescribed for persons illegally practising in courts under the Advocate Act, 1961?
(A) Imprisonment upto 3 months
(B) Imprisonment upto 6 months
(C) Imprisonment upto 9 months
(D) Imprisonment upto 12 months

Ans :

(B) Imprisonment upto 6 months
Explanation: Section 45 of the Advocates Act, 1961, prescribes the penalty for persons illegally practicing in courts and before other authorities. It states that any person who practices in any court or before any authority, where they are not entitled to practice, shall be punishable with imprisonment for a term which may extend to six months.

67. Which provision of the Advocate Act, 1961 empowers the Bar Council of India to prescribe the standard of professional conduct and etiquette to be observed by advocates?
(A) Section 42
(B) Section 42A
(C) Section 48A
(D) Section 49

Ans :

(D) Section 49
Explanation: Section 49(1)(c) of the Advocates Act, 1961, confers rule-making power upon the Bar Council of India. This provision specifically empowers the BCI to make rules prescribing the standards of professional conduct and etiquette to be observed by advocates, which are binding on all lawyers practicing in India.

68. Which of the following is incorrect according to the Bar Council of India Rules?
(A) An Advocate can plead in any matter in which he is himself pecuniarily interested.
(B) An advocate shall appear in court at all times only in the prescribed dress.
(C) An Advocate shall not stand as a surety for his client.
(D) An Advocate shall not influence the decision of a court by any improper means.

Ans :

(A) An Advocate can plead in any matter in which he is himself pecuniarily interested.
Explanation: The Bar Council of India Rules on professional standards prohibit an advocate from appearing in a matter where they have a personal financial interest. This rule is designed to prevent conflicts of interest and ensure that the advocate's duty to the client and the court remains paramount, free from personal bias.

69. Which of the following authority acts as an appellate authority against the order made by the disciplinary committee of the Bar Council of India ?
(A) Chairman of the Bar Council of India
(B) Vice-chairman of the Bar Council of India
(C) High Courts
(D) Supreme Court of India

Ans :

(D) Supreme Court of India
Explanation: According to Section 38 of the Advocates Act, 1961, any person aggrieved by an order made by the disciplinary committee of the Bar Council of India can file an appeal to

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the Supreme Court of India. The appeal must be filed within sixty days of the date on which the order is communicated to the person.

70. In which of the following situations a one person company (OPC) will mandatorily get converted into either private or public company?
(A) In case the paid-up share capital of an OPC exceeds twenty-five lakh rupees.
(B) In case the paid-up share capital of an OPC exceeds fifty lakh rupees.
(C) In case the paid-up share capital of an OPC exceeds seventy-five lakh rupees.
(D) In case the paid-up share capital of an OPC exceeds one crore rupees.

Ans :

(B) In case the paid-up share capital of an OPC exceeds fifty lakh rupees.
Explanation: As per the original Companies (Incorporation) Rules, 2014, an OPC had to mandatorily convert if its paid-up share capital exceeded ₹50 lakhs or its average annual turnover exceeded ₹2 crores. However, these mandatory conversion rules were omitted by a 2021 amendment to encourage OPCs. The question reflects the old rule.

71. What is the minimum number of directors required for a public company as per the Companies Act, 2013?
(A) 2
(B) 3
(C) 5
(D) 7

Ans :

(B) 3
Explanation: Section 149(1) of the Companies Act, 2013, specifies the minimum number of directors for different types of companies. For a public company, there must be a minimum of three directors. For a private company, the minimum is two directors, and for a One Person Company (OPC), the minimum is one director.

72. In which of the following case the Supreme Court of India had explained the Precautionary Principle in details?
(A) Vellore Citizens' Welfare Forum v Union of India
(B) A.P. Pollution Control Board v M.V. Nayudu
(C) Indian Council for Enviro-Legal Action v Union of India
(D) M.C. Mehta v Kamal Nath

Ans :

(A) Vellore Citizens' Welfare Forum v Union of India
Explanation: In the Vellore Citizens' Welfare Forum v. Union of India (1996) case, the Supreme Court elaborately discussed the Precautionary Principle. The court held that this principle is part of the law of the land and means that the State must anticipate, prevent, and attack the causes of environmental degradation, and lack of scientific certainty should not be used to postpone measures.

73. Which of the following is a landmark case on the public trust doctrine in the Environmental Law?
(A) Vellore Citizens' Welfare Forum v Union of India
(B) Olga Tellis v Bombay Municipal Corporation
(C) Indian Council for Enviro-Legal Action v Union of India
(D) M.C. Mehta v Kamal Nath

Ans :

(D) M.C. Mehta v Kamal Nath
Explanation: The case of M.C. Mehta v. Kamal Nath (1997) is a landmark judgment that firmly embedded the Public Trust Doctrine into Indian environmental law. The Supreme Court held that the State, as a trustee, is under a legal duty to protect natural resources like rivers, forests, and air for public use and enjoyment.

74. In which of the following case Section 66A of the Information Technology Act, 2000 was struck down by the Supreme Court?
(A) Shreya Singhal v Union of India
(B) Kartar Singh v State of Punjab
(C) K.A. Abbas v Union of India
(D) Maneka Gandhi v Union of India

Ans :

(A) Shreya Singhal v Union of India
Explanation: In the landmark case of Shreya Singhal v. Union of India (2015), the Supreme Court of India struck down Section 66A of the Information Technology Act, 2000, in its entirety. The Court found the provision to be

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unconstitutionally vague and overly broad, holding that it violated the freedom of speech and expression guaranteed under Article 19(1)(a) of the Constitution.

75. In which of the following case an electronic record shall not be attributed to the originator as per the Information Technology Act, 2000?
(A) Electronic record sent by the originator himself.
(B) Electronic record sent by an authorised person.
(C) Electronic record sent by an automated system programmed by him.
(D) Electronic record sent by an unauthorized person.

Ans :

(D) Electronic record sent by an unauthorized person.
Explanation: Section 11 of the Information Technology Act, 2000, deals with the attribution of electronic records. An electronic record is attributed to the originator if it was sent by the originator, an authorized person, or an automated information system programmed by the originator. A record sent by an unauthorized person cannot be attributed to the originator.

76. What is the maximum period for which any woman shall be entitled to maternity benefit under the Maternity Benefit Act, 1961 ?
(A) 6 weeks
(B) 8 weeks
(C) 12 weeks
(D) 26 weeks

Ans :

(D) 26 weeks
Explanation: The Maternity Benefit (Amendment) Act, 2017, significantly increased the duration of paid maternity leave. A woman is now entitled to a maximum of 26 weeks of maternity benefit. This period can be availed as eight weeks before the expected delivery date and the remaining eighteen weeks after the delivery.

77. For what duration is a woman entitled to leave with wages for tubectomy operation as per the Maternity Benefit Act, 1961 ?
(A) 2 weeks
(B) 4 weeks
(C) 6 weeks
(D) 8 weeks

Ans :

(A) 2 weeks
Explanation: Section 9A of the Maternity Benefit Act, 1961, provides for leave for tubectomy operation. A woman who undergoes this procedure is entitled to leave with wages at the rate of maternity benefit for a period of two weeks immediately following the day of her operation. This is in addition to the main maternity benefit.

78. What should be the minimum number of workers originally employed in any factory for having at least one canteen in the factory as per the Factories Act, 1948 ?
(A) 100 workers
(B) 150 workers
(C) 200 workers
(D) 250 workers

Ans :

(D) 250 workers
Explanation: Section 46 of the Factories Act, 1948, mandates the provision of canteens in factories. It states that in any specified factory wherein more than two hundred and fifty workers are ordinarily employed, a canteen or canteens shall be provided and maintained by the occupier for the use of the workers.

79. Who among the following is not included in the definition of a workman as per the Industrial Disputes Act, 1947 ?
(A) A supervisor drawing monthly salary of 6,000.
(B) A supervisor drawing monthly salary of 8,000.
(C) A supervisor drawing monthly salary of 10,000.
(D) A supervisor drawing monthly salary of 12,000.

Ans :

(D) A supervisor drawing monthly salary of 12,000.
Explanation: As per Section 2(s) of the Industrial Disputes Act, 1947, a person employed mainly in a managerial or administrative capacity, or

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who, being employed in a supervisory capacity, draws wages exceeding ten thousand rupees per mensem, is excluded from the definition of a 'workman'. Therefore, a supervisor drawing ₹12,000 would not be included.

80. Who has defined tort as 'tortious liability arises from the breach of duty primarily fixed by law; this duty is towards persons generally and its breach is redressible by an action for unliquidated damages'?
(A) Lindsell
(B) Pollock
(C) Salmond
(D) Winfield

Ans :

(D) Winfield
Explanation: This classic definition of tort was provided by the eminent legal scholar, P.H. Winfield. His definition highlights the key elements of a tort: the liability arises from a breach of a legal duty owed to people in general, and the remedy for such a breach is an action for unliquidated (unspecified) damages.

81. Gloucester Grammar School case relates to which of the following important maxims ?
(A) Damnum sine injuria
(B) Injuria sine demno
(C) Ubi jus ibi remedium
(D) Volenti non fit injuria

Ans :

(A) Damnum sine injuria
Explanation: The Gloucester Grammar School case is a classic illustration of the maxim damnum sine injuria, which means damage without legal injury. In this case, a new schoolmaster set up a rival school, causing financial loss to the original school. The court held that no legal right was violated, as lawful competition is permissible, so no action could be maintained.

82. Which of the following provision of the Motor Vehicles Act, 1988 relates to no fault liability?
(A) Section 140
(B) Section 151
(C) Section 162
(D) Section 128

Ans :

(A) Section 140
Explanation: Section 140 of the Motor Vehicles Act, 1988, incorporates the principle of 'no-fault liability'. It provides for fixed compensation in case of death or permanent disablement resulting from a motor vehicle accident, without the claimant having to prove any wrongful act, neglect, or default on the part of the vehicle owner or driver.

83. How many consumer rights are identified under the Consumer Protection Act, 2019 ?
(A) 2
(B) 4
(C) 6
(D) 8

Ans :

(C) 6
Explanation: Section 2(9) of the Consumer Protection Act, 2019, defines "consumer rights" and enumerates six distinct rights. These are: the right to be protected, the right to be informed, the right to be assured, the right to be heard, the right to seek redressal, and the right to consumer awareness.

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84. Which of the following body constituted under the Consumer Protection Act, 2019 is authorised to render advice on promotion and protection of consumers' right under the Act?
(A) Central Consumer Protection Authority
(B) Central Consumer Protection Council
(C) State Consumer Protection Authority
(D) State Consumer Protection Council

Ans :

(B) Central Consumer Protection Council
Explanation: Under Section 3 of the Consumer Protection Act, 2019, the Central Government establishes the Central Consumer Protection Council. The primary objective of this council is to render advice on the promotion and protection of consumer rights under the Act. It acts as an advisory body to the government on consumer policy matters.

85. Which of the following provision of the Constitution of India states that no tax can be levied or collected except by authority of law?
(A) Article 246
(B) Article 256

(C) Article 260
(D) Article 265

Ans :

(D) Article 265
Explanation: Article 265 of the Constitution of India provides a fundamental principle of taxation. It explicitly states that "No tax shall be levied or collected except by authority of law." This means that the executive branch of the government cannot impose any tax without the express sanction and authority of a law passed by the legislature.

86. Which of the following would be the first previous year in case of a business or profession newly set up on 31st March, 2020 as per the Income Tax Act, 1961 ?
(A) Start from 1st April, 2019 and will end on 31st March, 2020.
(B) Start from 31st March, 2020 and will end on 31st March, 2020.
(C) Start from 1st April, 2020 and will end on 31st December, 2020.
(D) Start from 1st January, 2020 and will end on 31st March, 2020.

Ans :

(B) Start from 31st March, 2020 and will end on 31st March, 2020.
Explanation: As per Section 3 of the Income Tax Act, 1961, the "previous year" is the financial year immediately preceding the assessment year. For a newly set-up business, the first previous year commences on the date of setting up the business and ends on the following 31st March. Here, the business was set up on the last day, so the previous year is just that single day.

87. As per the Income Tax Act, 1961 a person is said to be resident of India in any previous year if he had been in India for a period of the following number of days in the previous year:
(A) 180 days
(B) 182 days
(C) 184 days
(D) 186 days

Ans :

(B) 182 days
Explanation: Under Section 6(1)(a) of the Income Tax Act, 1961, one of the basic conditions for an individual to be considered a resident in India for a previous year is that they have been in India for a period of 182 days or more in that year. Satisfying this condition makes the individual a resident for tax purposes.

88. Income is defined under which of the following provision of the Income Tax Act, 1961 ?
(A) Section 2(31)
(B) Section 2(24)
(C) Section 2(9)
(D) Section 3

Ans :

(B) Section 2(24)
Explanation: The term "income" is defined under Section 2(24) of the Income Tax Act, 1961. This definition is inclusive and not exhaustive, meaning it lists various types of receipts that are considered income but is not limited to them. The definition covers a wide range of items, including profits, dividends, voluntary contributions, and capital gains.

89. Which of the following is not a fraud as per the Indian Contract Act, 1872 ?
(A) A promise made without intention of performing it.
(B) An active concealment of fact by one having knowledge of the fact.
(C) Mere silence if not duty bound to speak.
(D) Any act or omission law specifically declares to be fraudulent.

Ans :

(C) Mere silence if not duty bound to speak.
Explanation: According to the explanation to Section 17 of the Indian Contract Act, 1872, mere silence as to facts likely to affect the willingness of a person to enter into a contract is not fraud, unless the circumstances of the case are such that there is a duty to speak, or if silence is in itself equivalent to speech.

90. Which of the following statement is correct if A, intending to deceive B, falsely represents that five hundred maunds of indigo are made annually at A's factory, and thereby induces B to buy the factory?
(A) Contract is void ab initio.
(B) Contract is voidable at the option of A.
(C) Contract is voidable at the option of B.

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(D) Contract is voidable at the option of A & B.

Ans :

(C) Contract is voidable at the option of B.
Explanation: This scenario is a classic example of fraud, as defined in Section 17 of the Indian Contract Act. According to Section 19, when consent to an agreement is caused by fraud or misrepresentation, the agreement is a contract voidable at the option of the party whose consent was so caused (in this case, B).

91. Which of the following injunction can be granted only by the decree made at hearing and upon the merit of the suit?
(A) Temporary injunction
(B) Perpetual injunction
(C) Mandatory injunction
(D) Prohibitory injunction

Ans :

(B) Perpetual injunction
Explanation: As per Section 38 of the Specific Relief Act, 1963, a perpetual injunction is granted by the decree made at the hearing and upon the merits of the suit. It perpetually restrains the defendant from asserting a right or committing an act contrary to the plaintiff's rights. A temporary injunction is granted provisionally before the final decree.

92. A stipulation in a bond for payment of compound interest on failure to pay simple interest at the same rate as was payable upon the principal is not a penalty within the meaning of which of the following provision of the Indian Contract Act, 1872 ?
(A) Section 73
(B) Section 74
(C) Section 75
(D) Section 76

Ans :

(B) Section 74
Explanation: Section 74 of the Indian Contract Act deals with compensation for breach of contract where a penalty is stipulated. Explanation to Section 74 clarifies that a stipulation for increased interest from the date of default may be a penalty. However, a stipulation for compound interest upon default of simple interest is generally not considered a penalty.

93. What is the default interest payable under Section 63A of the Transfer of Property Act, 1882?
(A) 6% per annum
(B) 8% per annum
(C) 9% per annum
(D) No default rate prescribed.

Ans :

(C) 9% per annum
Explanation: Section 63A of the Transfer of Property Act, 1882, deals with improvements to mortgaged property. If the mortgagee makes improvements with the mortgagor's assent, the mortgagor must pay the cost upon redemption. If no interest rate is fixed, interest on such cost shall be paid at the rate of nine per cent per annum.

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94. Which of the following is the time limit given under Section 17 of the Transfer of Property Act, 1882?
(A) Life of the transferee
(B) A period of 18 years from the date of transfer
(C) Either (A) or (B) whichever is longer
(D) Neither (A) nor (B)

Ans :

(C) Either (A) or (B) whichever is longer
Explanation: Section 17 of the Transfer of Property Act, 1882, provides for the rule against accumulation of income. It states that a direction for accumulation of income from property is valid only for a period no longer than the life of the transferor or a period of eighteen years from the date of the transfer.

95. Which of the following is not a negotiable instrument as per the Negotiable Instruments Act, 1881 ?
(A) Promissory note
(B) Hundi
(C) Bill of exchange
(D) Cheque

Ans :

(B) Hundi
Explanation: The Negotiable Instruments Act, 1881, specifically defines and governs promissory notes, bills of exchange, and cheques. While a Hundi is a financial instrument that developed in the Indian subcontinent and

functions similarly, it is governed by custom and usage rather than being explicitly defined and included under the Act itself.

96. In the light of Negotiable Instruments Act, 1881, at what rate interest will be charged if the rate of interest is not mentioned on the negotiable instruments?
(A) 6% per annum
(B) 10% per annum
(C) 18% per annum
(D) 20% per annum

Ans :

(C) 18% per annum
Explanation: According to Section 80 of the Negotiable Instruments Act, 1881, if no interest rate is specified in a promissory note or bill of exchange, interest on the amount due shall be calculated at the rate of eighteen per centum per annum from the date it ought to have been paid by the party charged, until tender or realization.

97. Within what period from the date of publication of the declaration, if no award is made, the entire proceedings for the acquisition of land shall lapse as per the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 ?
(A) 6 months
(B) 12 months
(C) 18 months
(D) 24 months

Ans :

(B) 12 months
Explanation: Section 25 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, mandates the Collector to make an award within a period of twelve months from the date of publication of the declaration. If no award is made within this period, the entire acquisition proceedings shall lapse.

98. What is the minimum percentage of affected families that need to give their prior consent for acquiring land for private companies as per the Right To Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013?
(A) 75%
(B) 80%
(C) 90%
(D) 100%

Ans :

(B) 80%
Explanation: Section 2(2)(b) of the 2013 Act stipulates that for the purpose of acquiring land for use by private companies, the prior consent of at least eighty per cent of the affected families is required. This provision of social impact assessment and consent is a key feature of the Act, ensuring community participation in the acquisition process.

99. Imagine an IPL team sets up a company to sell its own range of clothes. What type of intellectual property can the team use to show that the clothes are made by them?
(A) Patents
(B) Geographical Indications
(C) Trademarks
(D) Registered designs

Ans :

(C) Trademarks
Explanation: A trademark is a sign, design, or expression which identifies products or services of a particular source from those of others. The IPL team would use its name, logo, or a specific brand name as a trademark on the clothes to indicate that they are the source of those goods and to distinguish them from merchandise of other teams.

100. How long do patents usually last for?
(A) 10 years
(B) 20 years
(C) 25 years
(D) 50 years

Ans :

(B) 20 years
Explanation: Under the Indian Patents Act, 1970, as well as under the TRIPS agreement, the term of a patent is generally twenty years from the date of filing of the patent application. This provides the inventor with exclusive rights to their invention for a limited period, after which it enters the public domain.

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ALL INDIA BAR EXAMINATION XVII

1. Sapinda Relationship means
(A) 3rd generation (mother), 7th generation (father)
(B) 3rd generation (mother), 5th generation (father)
(C) 3rd generation (mother), 4th generation (father)
(D) 2nd generation (mother), 5th generation (father)

Ans :

(B) 3rd generation (mother), 5th generation (father)
Explanation: Section 3(f) of the Hindu Marriage Act, 1955, defines a "sapinda relationship". It extends to the third generation (inclusive) in the line of ascent through the mother, and the fifth generation (inclusive) in the line of ascent through the father. Marriage between individuals within these prohibited degrees is void.

2. Which one of the following is not a ground of divorce in the Hindu Marriage Act?
(A) Mental Disorder
(B) Venereal Disease in communicable form
(C) Incurable Unsound Mind
(D) Living separately for less than three months.

Ans :

(D) Living separately for less than three months.
Explanation: Section 13 of the Hindu Marriage Act, 1955, lists grounds for divorce like mental disorder, venereal disease, and incurable unsoundness of mind. Living separately for less than three months is not a ground. A longer period of separation, such as one year for mutual consent or two years for desertion, is typically required.

3. Indian Christians can obtain divorce under which of the following enactments?
(A) Special Marriage Act, 1954
(B) Christian Marriage Act, 1872
(C) Indian Divorce Act, 1869
(D) Special Marriage Act, 1872

Ans :

(C) Indian Divorce Act, 1869
Explanation: The divorce proceedings for Indian Christians are primarily governed by the Indian Divorce Act, 1869. This Act provides the grounds and procedures for the dissolution of marriage, nullity of marriage, and judicial separation specifically for the Christian community in India. The Christian Marriage Act, 1872, deals with the solemnization of marriages.

4. The Section 12 of Hindu Maintenance and Adoption Act, 1956 deals with
(A) Rights of adoptive parents to dispose of their properties
(B) Effects of adoption
(C) Presumption as to the document relating to adoption
(D) Cancellation of adoption

Ans :

(B) Effects of adoption
Explanation: Section 12 of the Hindu Adoptions and Maintenance Act, 1956, outlines the legal effects of a valid adoption. It states that an adopted child is deemed to be the child of their adoptive parents for all purposes from the date of adoption, severing all ties with their birth family and establishing new ones.

5. Which of the following categories of cases will not be entertained as Public Interest Litigation (PIL)?
(A) Family Pension
(B) Petitions from riot victims
(C) Neglected Children
(D) Landlord-Tenant matter

Ans :

(D) Landlord-Tenant matter

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Explanation: The Supreme Court of India has established guidelines that exclude certain categories from the scope of Public Interest Litigation (PIL). Disputes of a private nature, such as landlord-tenant matters, are generally not entertained as PILs. PILs are reserved for issues of broader public interest, such as those concerning riot victims or neglected children.

6. Who is known as Father of Public Interest Litigation in India?
(A) Justice A. N. Ray
(B) Justice Y. V. Chandrachud
(C) Justice R. S. Pathak
(D) Justice P. N. Bhagwati

Ans :

(D) Justice P. N. Bhagwati
Explanation: Justice P. N. Bhagwati is widely acclaimed as the "Father of Public Interest Litigation (PIL)" in India. Along with Justice V.R. Krishna Iyer, he played a pivotal role in relaxing the traditional rule of 'locus standi,' allowing public-spirited citizens to file petitions on behalf of the poor, oppressed, and marginalized.

7. Muslim woman has option to be governed by the provisions of Sections 125 to 128 of Criminal Procedure Code 1973 (Sec. 144-147 BNSS). Which section of The Muslim Women (Protection of Rights on Divorce) Act, 1986 deals with it?
(A) Section 5
(B) Section 6
(C) Section 7
(D) None of these

Ans :

(A) Section 5
Explanation: Section 5 of The Muslim Women (Protection of Rights on Divorce) Act, 1986, provides an option for a Muslim woman and her former husband. They can jointly or separately declare before a Magistrate that they prefer to be governed by the provisions of Sections 125 to 128 of the Code of Criminal Procedure, 1973.

8. Which of the following is not a ground of void marriage under Section 11 of the Hindu Marriage Act?
(A) Bigamy
(B) Degrees of Prohibited Relationship
(C) Sapinda Relationship
(D) Child marriage

Ans :

(D) Child marriage
Explanation: Under Section 11 of the Hindu Marriage Act, 1955, a marriage is void if it contravenes the conditions of bigamy, prohibited relationships, or sapinda relationships. While child marriage is prohibited and punishable, under the Prohibition of Child Marriage Act, 2006, it is voidable at the option of the minor party, not void ab initio under Section 11.

9. Which of the following writ can be issued against usurpation of public office?
(A) Writ of Mandamus
(B) Writ of Certiorari
(C) Writ of Quo Warranto
(D) Writ of Prohibition

Ans :

(C) Writ of Quo Warranto
Explanation: The writ of Quo Warranto, which means 'by what authority,' is issued by a court to inquire into the legality of a person's claim to a public office. It is used to prevent the illegal usurpation or holding of a substantive public office by an individual who is not legally entitled to it.

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10. Ridge V. Baldwin's case deals with
(A) Corporation
(B) Natural Justice
(C) State Liability
(D) Delegated Legislation

Ans :

(B) Natural Justice
Explanation: The case of Ridge v. Baldwin is a landmark English administrative law decision that revitalized the principles of natural justice. The House of Lords held that the power of dismissal could not be exercised without giving the concerned officer a fair hearing, establishing that the principles of natural justice apply to administrative decisions affecting rights.

11. Meaning of "Audi alteram partem":
(A) A person cannot be condemned without being heard
(B) An adjudicating authority must give a

speaking order
(C) No man can be a judge in his own case
(D) No one should fear the courts.

Ans :

(A) A person cannot be condemned without being heard
Explanation: "Audi alteram partem" is a Latin maxim that translates to "hear the other side." It is a fundamental principle of natural justice, stipulating that no person should be judged without a fair hearing in which they have the opportunity to respond to the evidence and arguments presented against them.

12. Rules made by Bar Council of India in exercising its rule making power under ----
(A) The Advocates Act, 1951
(B) The Advocates Act, 1954
(C) The Advocates Act, 1961
(D) The Advocates Act, 1964

Ans :

(C) The Advocates Act, 1961
Explanation: The Bar Council of India derives its rule-making power from the Advocates Act, 1961. Section 49 of this Act empowers the Bar Council of India to make rules for discharging its functions, including prescribing standards of professional conduct and etiquette for advocates, and safeguarding their rights, privileges, and interests.

13. An advocate may, while practicing, take up teaching of Law in any educational institution which is affiliated to a University, so long as the hours during which he is so engaged in the teaching of Law do not exceed hours in a day.
(A) 5
(B) 3
(C) 2
(D) 4

Ans :

(B) 3
Explanation: According to the Bar Council of India Rules, a practicing advocate is permitted to engage in part-time teaching of law. However, this is subject to the condition that the time dedicated to teaching does not exceed three hours in a day, ensuring that their primary focus remains on their legal practice.

14. In which of the following landmark case the advocate was held guilty of professional misconduct as he had forged the court order?
(A) Pratap Narain V. Y. P. Raheja
(B) Vikramaditya V. Smt. Jamila Khatoon
(C) Babulal Jain V. Subhash Jain
(D) Smt. P. Pankajam V. B. H. Chandrashekhar

Ans :

(A) Pratap Narain V. Y. P. Raheja
Explanation: In the case of Pratap Narain v. Y. P. Raheja, the advocate was found guilty of serious professional misconduct for forging a court order. Such an act is considered a grave offense as it undermines the integrity of the judicial process and constitutes a breach of the high ethical standards expected of legal professionals.

15. Which of the following is not a real purpose of Public Interest Litigation?
(A) Vindication of the rule of law
(B) Facilitate effective access to Justice
(C) Meaningful realization of Fundamental Rights
(D) Getting famous and making wealth

Ans :

(D) Getting famous and making wealth
Explanation: Public Interest Litigation (PIL) is a tool to provide justice to the disadvantaged and enforce public duties. Its core purposes include upholding the rule of law, ensuring access to justice, and realizing fundamental rights. Using PIL for personal gain, such as seeking fame or wealth, is a misuse of the process and contrary to its intended purpose.

16. In Hussainara Khatoon V. State of Bihar, emerged as a basic fundamental right.
(A) Right to Speedy Justice
(B) Right to Clean Environment
(C) Right to Free Legal Aid
(D) None of these

Ans :

(A) Right to Speedy Justice
Explanation: The case of Hussainara Khatoon v. State of Bihar is a landmark judgment in Indian constitutional law where the Supreme Court recognized the Right to a Speedy Trial as a fundamental right. It is implicit in the guarantee

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of life and personal liberty under Article 21 of the Constitution.

17. "Doctrine of lifting of or piercing the corporate veil" is associated with
(A) Labour Law
(B) Company Law
(C) Banking Law
(D) Service Law

Ans :

(B) Company Law
Explanation: The "doctrine of lifting or piercing the corporate veil" is a fundamental concept in Company Law. It refers to the court's power to disregard the separate legal personality of a company and hold the individuals behind it (like shareholders or directors) liable for the company's actions, typically in cases of fraud or improper conduct.

18. Under which Section of The Environment (Protection) Act, 1986, an appeal to National Green Tribunal (NGT) lies?
(A) Section 4A
(B) Section 5A
(C) Section 6A
(D) Section 7A

Ans :

(B) Section 5A
Explanation: Section 5A of the Environment (Protection) Act, 1986, specifically provides for an appeal to the National Green Tribunal (NGT). Any person aggrieved by certain orders or decisions of the appellate authority under this act can file an appeal with the NGT within the prescribed time limit.

19. Which one of the following Fundamental Duties relates to Environmental Protection?
(A) Article 51A (b)
(B) Article 51A (g)
(C) Article 51A (j)
(D) Article 51A (k)

Ans :

(B) Article 51A (g)
Explanation: Article 51A(g) of the Indian Constitution lays down a fundamental duty for every citizen "to protect and improve the natural environment including forests, lakes, rivers and wild life, and to have compassion for living creatures." This provision directly links a citizen's duties to the protection and preservation of the environment.

20. Mr. A who was aggrieved by an order made by Controller or an adjudicating officer, made an appeal to Cyber Appellate Tribunal. Later Mr. A aggrieved by an order of Cyber Appellate Tribunal, may prefer an appeal -------
(A) In any District Court
(B) In Higher Tribunal
(C) Only in High Court
(D) Only in Supreme Court

Ans :

(C) Only in High Court
Explanation: Under Section 62 of the Information Technology Act, 2000, any person aggrieved by an order of the Cyber Appellate Tribunal has the right to file an appeal to the High Court. The appeal can be made on any question of fact or law arising out of such an order.

21. Mr. X, a person who is intended by Mr. Y an originator to receive the electronic record is, under the IT Act, known as
(A) Intermediary
(B) Originators Agent
(C) Addressee
(D) Key Holder

Ans :

(C) Addressee
Explanation: According to Section 2(1)(b) of the Information Technology Act, 2000, an "addressee" is defined as a person who is intended by the originator to receive the electronic record. The addressee is the intended recipient of the electronic communication, but this does not include an intermediary.

22. The minimum number of members required for registration of a trade union is-
(A) 2
(B) 3
(C) 5
(D) 7

Ans :

(D) 7

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Explanation: As per Section 4 of the Trade Unions Act, 1926, a trade union can be registered if, on the date of making the application, it has a minimum of seven members. These seven members must subscribe their names to the rules of the trade union and comply with the other provisions of the Act.

23. If any advocate is aggrieved by an order of Disciplinary Committee of State Bar Council made under Section 35 of the Advocate Act or Advocate General of the State may prefer and appeal to the Bar Council of India within days of the date of communication of order.
(A) 30
(B) 45
(C) 60
(D) 90

Ans :

(C) 60
Explanation: Section 37 of the Advocates Act, 1961, provides for an appeal to the Bar Council of India. Any person aggrieved by an order of the disciplinary committee of a State Bar Council, or the Advocate-General of the State, may prefer an appeal within sixty days of the date of the communication of the order.

24. ABC Private Limited Company choose to convert itself into a Public Company. It can do so by altering its Memorandum of Association and Articles of Association and by passing
(A) Ordinary Resolution
(B) Special Resolution
(C) Board Resolution
(D) None of these

Ans :

(B) Special Resolution
Explanation: According to Section 14 of the Companies Act, 2013, a company can alter its articles of association by passing a special resolution. For converting a private company into a public company, the company must alter its articles and then apply to the Registrar, who will register the change and issue a fresh certificate of incorporation.

25. If the factory employs more than 1000 workers, they should appoint qualified to carry out the prescribed duties.
(A) Safety officer
(B) Welfare officer
(C) Development officer
(D) None of these

Ans :

(A) Safety officer
Explanation: Section 40-B of the Factories Act, 1948, mandates the appointment of Safety Officers. It states that in every factory wherein one thousand or more workers are ordinarily employed, the occupier shall employ the number of Safety Officers as may be specified in the notification by the State Government.

26. Suppose road accident occurs, then being an Advocate what is the correct way of approaching the situation?
(A) FIR > Petition > Summon to Insurance Company
(B) Petition > FIR > Summon to Insurance Company
(C) Summon to Insurance Company > Petition > FIR
(D) FIR > Summon to Insurance Company > Petition

Ans :

(A) FIR > Petition > Summon to Insurance Company
Explanation: In a motor accident claim, the standard procedure begins with lodging a First Information Report (FIR) with the police. Following this, a claim petition is filed before the Motor Accidents Claims Tribunal (MACT). The tribunal then issues summons to the opposite parties, including the owner, driver, and the concerned insurance company, to respond to the claim.

27. The principle of "Ubi jus ibi idem remedium" was recognized in
(A) Winterbottom V. Wright
(B) Chapman V. Pickersgill
(C) Ashby V. White
(D) Rylands V. Fletcher

Ans :

(C) Ashby V. White
Explanation: The case of Ashby v. White is the foundational authority for the legal maxim "Ubi jus ibi remedium," which means "where there is

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a right, there is a remedy." The court held that if a person's legal right is violated, they must have a remedy to vindicate that right, even if they have not suffered any actual financial loss.

28. Gloucester Grammar School Case is a landmark case based on which of the following maxim?
(A) Damnum sine injuria
(B) Injuria sine damnum
(C) Volenti non fit injuria
(D) Audi alteram partem

Ans :

(A) Damnum sine injuria
Explanation: The Gloucester Grammar School case is a classic illustration of the maxim damnum sine injuria, which means "damage without legal injury." In this case, a new schoolmaster set up a rival school, causing financial loss to the original school. The court held that no legal right was violated, as lawful competition is permissible.

29. The National Consumer Disputes Redressal Commission under Consumer Protection Act, 2019 shall have the jurisdiction to complaints where the value of the goods or services paid as consideration exceeds
(A) 1 Crore
(B) 10 Crores
(C) 50 Crores
(D) 100 Crores

Ans :

(B) 10 Crores
Explanation: As per the Consumer Protection Act, 2019, the National Consumer Disputes Redressal Commission (NCDRC) has the pecuniary jurisdiction to entertain complaints where the value of the goods or services paid as consideration exceeds ten crore rupees. This limit was updated by the 2019 Act to rebalance the caseload among the consumer commissions.

30. The text of the Certified Standing Orders shall be prominently posted by the employer in and in the language understood by the majority of his workmen.
(A) Hindi
(B) English
(C) Devanagari Script
(D) Language specified in 8th Schedule of the Constitution

Ans :

(B) English
Explanation: Under the Industrial Employment (Standing Orders) Act, 1946, the employer must prominently post the certified standing orders. The text must be in English and in the language understood by the majority of the workmen. This ensures that the terms of employment are clearly communicated and accessible to all employees covered by the orders.

31. A person who has ultimate control over the affairs of the factory under Factories Act, 1948 is called as ------ .
(A) Occupier
(B) Managing Director
(C) Chairman
(D) Manager

Ans :

(A) Occupier
Explanation: Section 2(n) of the Factories Act, 1948, defines an "occupier" as the person who has ultimate control over the affairs of the factory. The Act places the primary responsibility for ensuring compliance with its health, safety, and welfare provisions on the occupier of the factory.

32. Mr. Kapoor purchased a residential house in January, 2021 for 80,00,000. He sold the house in April, 2022 for 94,00,000. In this case the gain of 14,00,000 arising on account of sale of residential house will be charged to tax under which of the following head?
(A) Income from capital gains
(B) Income from house property
(C) Income from profits and gains from business or profession
(D) Income from other sources

Ans :

(A) Income from capital gains
Explanation: The profit of ₹14,00,000 arises from the sale of a capital asset (a residential house). Under the Income Tax Act, 1961, any profit or gain arising from the transfer of a capital asset is chargeable to income tax under the head "Capital Gains." Since the house was held for

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more than 24 months, it would be a long-term capital gain.

33. Mr. Manjot is a trader supplying goods from his M/s Singh Traders. The office of the firm is located in Delhi whereas its godowns are located in the State of Uttar Pradesh, Punjab and Jammu & Kashmir (J&K) respectively. M/s Singh Traders made following intra-state supplies from different States during the current financial year:
(i) Delhi Taxable Supplies: 21,00,000
(ii) Punjab - Exempted Supplies: ₹6,00,000
(iii) Uttar Pradesh- Taxable and Exempted Supplies: 3,00,000 each respectively.
(iv) J&K - Taxable and Exempted Supplies: 8,00,000 and 3,00,000 respectively.
Ascertain the States in which Mr. Manjot is required to take registration under GST.
(A) Delhi, Punjab, Uttar Pradesh and J&K
(B) Delhi, Uttar Pradesh and J&K
(C) Delhi and Uttar Pradesh
(D) Delhi

Ans :

(B) Delhi, Uttar Pradesh and J&K
Explanation: Under GST law, a supplier must register in each state from which they make a taxable supply of goods or services if their aggregate turnover exceeds the threshold limit. Here, M/s Singh Traders makes taxable supplies from Delhi, Uttar Pradesh, and J&K. Registration is not required in Punjab as only exempted supplies are made from there.

34. The primary GST slabs for any regular taxpayers are presently pegged at
(A) 0%, 5%, 12%, 18%, 26%
(B) 0%, 6%, 12%, 18%, 28%
(C) 0%, 5%, 12%, 18%, 28%
(D) 0%, 5%, 12%, 16%, 28%

Ans :

(C) 0%, 5%, 12%, 18%, 28%
Explanation: The Goods and Services Tax (GST) regime in India has a multi-tiered tax structure. The primary slabs for regular taxpayers are 0% (for essential items), 5%, 12%, 18%, and 28%. Certain goods like precious metals have special rates, but these are the main slabs applicable to a wide range of goods and services.

35. Under Section 41 of Consumer Protection Act, 2019 an appeal from the order of District Commission lies to
(A) State Commission
(B) Consumer Tribunal
(C) National Commission
(D) High Court

Ans :

(A) State Commission
Explanation: The Consumer Protection Act, 2019, establishes a three-tier quasi-judicial machinery for consumer disputes. According to Section 41 of the Act, any person aggrieved by an order made by the District Consumer Disputes Redressal Commission can file an appeal against such an order to the respective State Consumer Disputes Redressal Commission.

36. For an individual to be deemed to be resident in India in any previous year one of the condition is:
(A) If he is in India for a period of 182 days or more during the previous year.
(B) If he is in India for a period of 180 days or more during the previous year.
(C) If he is in India for a period of 181 days or more during the previous year.
(D) If he is in India for a period of 360 days or more during the previous year.

Ans :

(A) If he is in India for a period of 182 days or more during the previous year.
Explanation: Under Section 6(1) of the Income Tax Act, 1961, an individual is considered a resident in India for a previous year if they satisfy one of two basic conditions. The first condition is that they have been in India for a total period of 182 days or more in that year.

37. A injunction can only be granted by the decree made at the hearing and upon the merits of the suit; the defendant is thereby perpetually enjoined from, the assertion of a right, or from the commission of an act, which could be contrary to the rights of the plaintiff.
(A) Temporary
(B) Perpetual
(C) Both Temporary and Perpetual
(D) None of these

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Ans :

(B) Perpetual
Explanation: A perpetual injunction, as defined under the Specific Relief Act, 1963, is one that is granted by a decree made at the final hearing and based on the merits of the case. It permanently restrains the defendant from committing an act that infringes upon the plaintiff's rights, as opposed to a temporary injunction which is provisional.

38. According to Section 5 of Specific Relief Act, 1963 a person entitled to the possession of specific immovable property may recover it in the manner provided in ----
(A) The Specific Relief Act, 1963
(B) The Code of Civil Procedure, 1908
(C) The Code of Criminal Procedure, 1973
(D) The Transfer of Property Act, 1882

Ans :

(B) The Code of Civil Procedure, 1908
Explanation: Section 5 of the Specific Relief Act, 1963, states that a person entitled to the possession of specific immovable property can recover it in the manner prescribed by the Code of Civil Procedure, 1908. This means a regular suit for possession must be filed following the procedures laid down in the CPC.

39. Where the mortgagor delivers possession of the mortgaged property to the mortgagee, and authorises him to retain such possession until payment of the mortgage-money, and to receive the rents and profits accruing from the property in lieu of interest, or in payment of the mortgage-money, the transaction is called an mortgage.
(A) Conditional
(B) English
(C) Simple
(D) Usufructuary

Ans :

(D) Usufructuary
Explanation: This description matches the definition of a usufructuary mortgage as provided in Section 58(d) of the Transfer of Property Act, 1882. The key elements are the delivery of possession to the mortgagee and the authorization for the mortgagee to receive rents and profits in lieu of interest or principal, without personal liability on the mortgagor.

40. In which of the following cases it was decided that a contract with minor is void?
(A) Carlill V. Carbolic Smokes Ball Co
(B) Chinnaih V. Ramaiah
(C) Mohori Bibee V. Dharmodas Ghose
(D) Harvey V. Facey

Ans :

(C) Mohori Bibee V. Dharmodas Ghose
Explanation: The landmark case of Mohori Bibee v. Dharmodas Ghose (1903) is the authoritative judgment that established the principle that a contract entered into with a minor is void ab initio (void from the very beginning) and not merely voidable. The Privy Council held that a minor is not competent to contract.

41. B, the proprietor of a newspaper, publishes at A's request, a libel upon C in the paper, and A agrees to indemnify B against the consequences of the publication, and all costs and damages of any action in respect thereof. B is sued by C and has to pay damages, and also incurs expenses. Decide in the light of the Section 224 of the Indian Contract Act, 1872.
(A) A is not liable to B upon indemnity.
(B) A is liable to B upon indemnity.
(C) A is not liable to C upon indemnity.
(D) None of these

Ans :

(A) A is not liable to B upon indemnity.
Explanation: Section 224 of the Indian Contract Act, 1872, states that an employer is not liable to indemnify an agent for an act that is criminal. Publishing a libel is a criminal act. Therefore, the agreement between A and B to indemnify for a wrongful act is unlawful, and A is not liable to indemnify B.

42. A person whom the agent names to act for the principal in the business of agency, under the express or implied authority to name, is called
(A) Sub-agent
(B) Substituted Agent
(C) Agent
(D) Procured Agent

Ans :

(B) Substituted Agent
Explanation: According to Section 194 of the Indian Contract Act, 1872, when an agent,

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holding an express or implied authority to name another person to act for the principal, names another person accordingly, such person is a substituted agent. He is considered an agent of the principal for that part of the business.

43. According to Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 appropriate Government can acquire the land for which of the following purposes?

1 for strategic purposes ^(1|2|3|4)\. relating to naval, military, air force, and armed forces of the Union
2 project for water harvesting and water conservation structures, sanitation
3 project for project affected families
4 project for sports, health care, tourism, transportation or space programme

(A) 1, 2 and 3
(B) 2, 3 and 4
(C) 1, 2 and 4
(D) 1, 2, 3 and 4

Ans :

(D) 1, 2, 3 and 4
Explanation: The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, allows the government to acquire land for "public purposes." Section 2(1) of the act provides an extensive, inclusive list of what constitutes a public purpose, which covers all the options mentioned, including strategic, infrastructure, and social projects.

44. 'Specified person' under Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 means any person other than

(A) appropriate Government
(B) Government company
(C) association of persons or trust or society wholly or partially aided by the appropriate Government or controlled by the appropriate Government
(D) All of these

Ans :

(D) All of these
Explanation: The term 'specified person' is used in the context of private acquisitions under the 2013 Act. The Act's main provisions apply to acquisitions by the government and certain other entities. The term distinguishes acquisitions by purely private entities from those by the government or government-controlled bodies. All the listed entities are excluded from this specific definition.

45. Who shall be the Registrar of Trade Marks for the purposes of Trade Marks Act, 1999?

(A) Controller-General of Patents, Designs and Trade Marks.
(B) Controller-General of Copyright, Designs and Trade Marks
(C) Director-General of Patents, Designs and Trade Marks
(D) Director-General of Copyright, Designs and Trade Marks

Ans :

(A) Controller-General of Patents, Designs and Trade Marks.
Explanation: Section 3(1) of the Trade Marks Act, 1999, designates the Controller-General of Patents, Designs and Trade Marks, appointed under the Patents Act, as the Registrar of Trade Marks. This single official heads the administration for several key intellectual property rights in India, ensuring streamlined governance.

46. Which one of the following is not a type/s of IPR ?

(A) Copyright
(B) Patents
(C) Designs
(D) Historical Indications

Ans :

(D) Historical Indications
Explanation: Intellectual Property Rights (IPR) include categories like Copyrights, Patents, Designs, Trademarks, and Geographical Indications. Geographical Indications protect goods originating from a specific geographical area, possessing a quality or reputation due to that origin. "Historical Indications" is not a recognized category of IPR; it may be confused with Geographical Indications.

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47. Which of the following is/are CORRECT with respect to "Declaratory Decrees" under The Specific Relief Act, 1963?
(A) Section 34 of the said Act deals with it.
(B) It is discretionary in nature.
(C) Both, (Section 34 of the said Act deals with it) and (It is discretionary in nature)
(D) None of these

Ans :

(C) Both, (Section 34 of the said Act deals with it) and (It is discretionary in nature)
Explanation: A declaratory decree is a binding declaration of a right without any consequential relief. Section 34 of the Specific Relief Act, 1963, governs such decrees. The proviso to Section 34 explicitly states that the court has the discretion to grant or refuse such a declaration, making both statements correct.

48. Which of the following is not a Negotiable Instrument as defined under The Negotiable Instrument Act, 1881?
(A) Promissory Note
(B) Bill of Exchange
(C) Cheque
(D) Billing Receipt

Ans :

(D) Billing Receipt
Explanation: The Negotiable Instruments Act, 1881, specifically defines and governs three types of instruments: promissory notes, bills of exchange, and cheques. A billing receipt is merely an acknowledgment of payment or a demand for it; it lacks the essential characteristics of a negotiable instrument, such as being a promise or order to pay a certain sum.

49. By which of the following Amendment Act of 1985, Anti Defection Law was added in the Constitution of India ?1
(A) 51st Constitutional Amendment2
(B) 52nd Constitutional Amendment3
(C) 53rd Constitutional Amendment4
(D) 54th Constitutional Amendment5

Ans :

(B) 52nd Constitutional Amendment
Explanation: The 52nd Constitutional Amendment Act of 1985 introduced the Tenth Schedule to the Indian Constitution, commonly known as the Anti-Defection Law. This law was enacted to curb political defections by legislators, providing for their disqualification on the grounds of changing political parties.

50. In which one of the following cases the Supreme Court decided that, a constitutional amendment is a 'law' within the meaning of Article 13(2) and therefore if it violates any of the fundamental rights it may be declared void?
(A) Sajjan Singh V. State of Rajasthan
(B) Keshvananda Bharati V. State of Kerala
(C) Indra Sawhney V. Union of India
(D) Golak Nath V. State of Punjab

Ans :

(D) Golak Nath V. State of Punjab
Explanation: In the case of I.C. Golaknath v. State of Punjab (1967), the Supreme Court held that a constitutional amendment is a 'law' under Article 13(2). Therefore, Parliament could not amend the Constitution in a way that abridged or took away Fundamental Rights. This decision was later overruled by the Kesavananda Bharati case.

51. Uniform Civil Code in India is:
(A) Fundamental Rights
(B) Directive Principles of State Policy
(C) Government Policy
(D) Constitutional Right

Ans :

(B) Directive Principles of State Policy
Explanation: The Uniform Civil Code (UCC) is mentioned in Article 44 of the Constitution of India, which is part of the Directive Principles of State Policy. These principles are guidelines for the state to follow in governance but are not enforceable by any court, unlike Fundamental Rights.

52. As per Article 16, No citizen shall, on grounds only of or any of them, be ineligible for, or discriminated against in respect of, any employment or office under the State.
(A) religion, race, caste, sex, descent, place of birth, residence
(B) religion, age, caste, sex, descent, place of birth, residence
(C) religion, race, age, sex, descent, place of birth, residence

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(D) religion, race, caste, sex, descent, place of birth, age

Ans :

(A) religion, race, caste, sex, descent, place of birth, residence
Explanation: Article 16(2) of the Constitution of India provides for equality of opportunity in matters of public employment. It explicitly states that no citizen shall be discriminated against on grounds only of religion, race, caste, sex, descent, place of birth, residence, or any of them, for any employment or office under the State.

53. The minimum number of Judges who are to sit for the purpose of deciding any case involving a substantial question of law as to the interpretation of this Constitution or for the purpose of hearing any reference under Article 143 shall be ------
(A) 2
(B) 3
(C) 4
(D) 5

Ans :

(D) 5
Explanation: Article 145(3) of the Constitution of India mandates that a minimum of five judges must sit to decide any case involving a substantial question of law related to the interpretation of the Constitution or for hearing a Presidential reference under Article 143. Such a bench is known as a Constitution Bench.

54. According to the Article 300A of the Constitution of India, No shall be deprived his property save by authority of law.
(A) person
(B) citizen
(C) foreigner
(D) Indian

Ans :

(A) person
Explanation: Article 300A of the Constitution states, "No person shall be deprived of his property save by authority of law." The use of the word "person" instead of "citizen" means that this constitutional right to property is available to everyone, including citizens, non-citizens, and legal persons like companies.

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55. The title of the Constitution of India is laid down in
(A) Article 1
(B) Article 5
(C) Article 390
(D) Article 393

Ans :

(D) Article 393
Explanation: This question was deleted, likely because the provided answer key was incorrect or the question was ambiguous. The correct answer is Article 393, which states, "This Constitution may be called the Constitution of India." This article officially provides the short title of the constitutional document.

56. Constitutional provisions of Fundamental Rights (FRs) are given under which part of the Constitution of India?
(A) Part I
(B) Part II
(C) Part III
(D) Part IV

Ans :

(C) Part III
Explanation: The Fundamental Rights are enshrined in Part III of the Constitution of India, spanning from Article 12 to Article 35. This part is often described as the Magna Carta of India and contains fundamental guarantees such as the right to equality, freedom of speech, and protection of life and personal liberty.

57. Under Section 82 and 83 of Indian Penal Code, an offence is punishable if it is done by a child
(A) of below seven years of age.
(B) of above seven years of age but below twelve years having attained sufficient maturity and understanding.
(C) of above seven years of age but below ten years having attained sufficient maturity and understanding.
(D) of above seven years of age but below twelve years not having attained sufficient maturity and understanding.

Ans :

(B) of above seven years of age but below twelve years having attained sufficient maturity and understanding.
Explanation: Section 82 of the IPC provides absolute immunity to a child under seven. Section 83 deals with a child above seven but under twelve. An act is an offence only if the child has attained sufficient maturity of understanding to judge the nature and consequences of their conduct. Therefore, maturity is the key element for this age group.

58. Name two essential conditions of Penal Liability.
(A) Guilty Body & Rightful Act
(B) Guilty Intent & Wrong Motive
(C) Guilty Mind & Wrongful Act
(D) Guilty Motive and Wrongful Act

Ans :

(C) Guilty Mind & Wrongful Act
Explanation: The two essential conditions for penal liability are encapsulated in the Latin maxim "actus non facit reum nisi mens sit rea." This translates to "an act does not make a man guilty unless his mind is also guilty." Therefore, a wrongful act (actus reus) and a guilty mind (mens rea) are required.

59. Provisions for Right of Private Defence is given between ------- of IPC.
(A) Sections 74-84
(B) Sections 96-106
(C) Sections 107-120
(D) Sections 141-160

Ans :

(B) Sections 96-106
Explanation: The right of private defence is detailed in the Indian Penal Code, 1860, under the chapter titled "Of the Right of Private Defence." The provisions governing this right, which allow a person to use reasonable force to protect their body and property, are contained in Sections 96 to 106 of the IPC.

60. The consent is not a valid consent under Section 90 of IPC:
(A) If given under fear of injury or misconception of fact.
(B) If given by person of unsound mind.
(C) If given by child below 12 years of age.
(D) All of these

Ans :

(D) All of these
Explanation: Section 90 of the Indian Penal Code specifies situations where consent is not considered valid. This includes consent given under fear or misconception, consent from a person of unsound mind, and consent from a child under twelve years of age. All the listed conditions invalidate consent for the purposes of criminal law.

61. Causing of the death of child in the mother's womb is not homicide as provided under.....
(A) Explanation III to Section 300
(B) Explanation III to Section 299
(C) Explanation III to Section 301
(D) Explanation III to Section 302

Ans :

(B) Explanation III to Section 299
Explanation: Explanation 3 to Section 299 of the Indian Penal Code, which defines culpable homicide, clarifies the legal position on prenatal death. It states that causing the death of a child in the mother's womb is not homicide. However, causing the death of a living child after it has emerged from the womb may amount to culpable homicide.

62. Punishment for Defamation under Indian Penal Code is simple imprisonment for a term which may extend to or with fine or with both.
(A) 2 Years
(B) 3 Years
(C) 4 Years
(D) 5 Years

Ans :

(A) 2 Years
Explanation: Section 500 of the Indian Penal Code, 1860, prescribes the punishment for the offense of defamation. A person found guilty of defamation shall be punished with simple imprisonment for a term which may extend to two years, or with a fine, or with both.

63. Which of the following is not 'Law' according to Article 13 of Indian Constitution?
(A) Rule
(B) By-laws
(C) Custom or usage
(D) None of these

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Ans :

(D) None of these
Explanation: This question was deleted. Article 13(3)(a) of the Constitution provides an inclusive definition of 'law', which includes any Ordinance, order, bye-law, rule, regulation, notification, custom or usage having the force of law. Therefore, all the options listed (Rule, By-laws, Custom or usage) are considered 'law' under Article 13, making 'None of these' the correct answer. The deletion might be due to potential ambiguity.

64. Which of the following Schedule deals with Union list, State list and Concurrent list in the Constitution of India?
(A) Schedule 7
(B) Schedule 10
(C) Schedule 11
(D) Schedule 12

Ans :

(A) Schedule 7
Explanation: The Seventh Schedule to the Constitution of India specifies the allocation of powers and functions between the Union and State governments. It contains three lists: List-I (Union List), List-II (State List), and List-III (Concurrent List), detailing the subjects on which each level of government can legislate.

65. The provision of 'Plea Bargaining' under chapter XXIA of CrPC are not applicable if the offence is committed against a child below the age of -------
(A) 12 years
(B) 14 years
(C) 16 years
(D) 18 years

Ans :

(B) 14 years
Explanation: Section 265A of the Code of Criminal Procedure, 1973, which introduces plea bargaining, has certain limitations. According to the proviso in Section 265A(1), the provisions of this chapter do not apply to any offence committed against a woman or a child below the age of fourteen years.

66. Section 125 of the Criminal Procedure Code is "SECULAR" in character was observed in which of the following case?
(A) Lalita Kumari V. State of Uttar Pradesh
(B) Arnesh Kumar's Case
(C) Mohd. Ahmed Khan V. Shah Bano Begum
(D) Selvy V. State of Karnataka

Ans :

(C) Mohd. Ahmed Khan V. Shah Bano Begum
Explanation: In the landmark case of Mohd. Ahmed Khan v. Shah Bano Begum, the Supreme Court of India held that Section 125 of the CrPC, which provides for maintenance of wives, children, and parents, is secular in nature. It applies to all citizens irrespective of their religion, and its purpose is to prevent vagrancy.

67. Who has the power of summary trial of a case ?
(A) Chief Judicial Magistrate
(B) Metropolitan Magistrate
(C) Any Magistrate of first class specially empowered by the High Court
(D) All of these

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Ans :

(D) All of these
Explanation: Section 260 of the Code of Criminal Procedure, 1973, empowers certain magistrates to conduct summary trials for specific minor offences. This power is vested in any Chief Judicial Magistrate, any Metropolitan Magistrate, and any Magistrate of the first class who has been specially empowered by the High Court in this behalf.

68. Which Sections deal with the processes to compel appearance under Code of Criminal Procedure 1973 ?
(A) Sections 61 to 90
(B) Sections 154 to 173
(C) Sections 211 to 219
(D) Sections 274 to 282

Ans :

(A) Sections 61 to 90
Explanation: Chapter VI of the Code of Criminal Procedure, 1973, is titled "Processes to Compel Appearance." This chapter, which includes Sections 61 to 90, deals with various legal instruments used to ensure a person's presence in court, such as summons, warrant of arrest, proclamation, and attachment of property.

69. An offence for which, a police officer may arrest a person without warrant is known as
(A) Non-cognizable offence
(B) Cognizable offence
(C) Bailable offence
(D) None of these

Ans :

(B) Cognizable offence
Explanation: A cognizable offence, as defined in Section 2(c) of the Code of Criminal Procedure, 1973, is an offence for which a police officer has the authority to arrest a person without a warrant, as per the First Schedule of the Code or under any other law. These are generally more serious offences.

70. Assault or criminal force to women with intent to outrage her modesty under IPC is which kind of offence?
(A) Non-Cognizable and Bailable
(B) Cognizable and Bailable
(C) Cognizable and Non-Bailable
(D) Non-Cognizable and Non-Bailable

Ans :

(C) Cognizable and Non-Bailable
Explanation: The offence under Section 354 of the Indian Penal Code (assault or criminal force to a woman with intent to outrage her modesty) is classified as a serious crime. According to the First Schedule of the CrPC, it is a cognizable offence, meaning police can arrest without a warrant, and it is non-bailable.

71. 'A' places men with firearms at the outlets of a building and tells 'Z', that they will fire at 'Z', if 'Z' attempts to leave the building. 'A' is guilty of:
(A) wrongful confinement
(B) wrongful restraint
(C) Both wrongful confinement and wrongful restraint
(D) None of these

Ans :

(A) wrongful confinement
Explanation: This scenario illustrates wrongful confinement under Section 340 of the IPC. Wrongful restraint (Section 339) is obstructing a person from moving in a direction they have a right to go. Wrongful confinement is wrongfully restraining a person in a way that prevents them from proceeding beyond certain circumscribing limits, which 'A' has done here.

72. Any police officer making an investigation under Section 160 of CrPC cannot require the attendance of a male, at a place other than the place of his residence who is
(A) under the age of 15 years and above the age of 60 years
(B) under the age of 18 years and above the age of 60 years
(C) under the age of 15 years and above the age of 65 years
(D) under the age of 18 years and above the age of 65 years

Ans :

(C) under the age of 15 years and above the age of 65 years
Explanation: The proviso to Section 160(1) of the CrPC provides a protection for certain individuals. It states that no male person under the age of fifteen years or above the age of sixty-five years, or any woman, shall be required to attend at any place other than the place in which they reside.

73. If someone lies before the court on affidavit, how it can be tackled by the Advocates?
(A) Perjury Application can be filed.
(B) Withdraw from the case.
(C) File application to support that.
(D) Pay the fine for the same.

Ans :

(A) Perjury Application can be filed.
Explanation: Knowingly making a false statement on an affidavit before a court constitutes the offence of perjury, which is punishable under the Indian Penal Code. The appropriate legal recourse for an advocate is to file an application under Section 340 of the CrPC, requesting the court to initiate proceedings for perjury against the person who filed the false affidavit.

74. Proclamation for person absconding shall be published as follows:
(i) It shall be publicly read in some conspicuous place of the town or village in which such person ordinarily resides;
(ii) It shall be affixed to some conspicuous part of the house or homestead in which

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such person ordinarily resides or to some conspicuous place of such town or village;
(iii) A copy thereof shall be affixed to some conspicuous part of the Court-house;
(iv) The Court may also, if it thinks fit, direct a copy of the proclamation to be published in a daily newspaper circulating in the place in which such person ordinarily resides.6
(A) Only ii, iii, iv are correct.7
(B) Only ii and iii are correct.8
(C) Only i, iii, iv are correct.9
(D) All i, ii, iii, iv are cor10rect.

Ans :

(D) All i, ii, iii, iv are correct.
Explanation: Section 82 of the Code of Criminal Procedure, 1973, outlines the mandatory and discretionary steps for publishing a proclamation for an absconding person. The first three steps (public reading, affixing at residence, and affixing at the courthouse) are mandatory. The fourth step (publication in a newspaper) is at the discretion of the court. All are valid procedures.

75. In a summons trial case instituted on a complaint wherein the summons has been issued to the accused, the non-appearance or death of the complainant shall entail -----
(A) Discharge of the accused
(B) Acquittal of the accused
(C) Either discharge or acquittal depending on the facts & circumstances of the case
(D) None of these

Ans :

(B) Acquittal of the accused
Explanation: Section 256 of the CrPC deals with the non-appearance or death of the complainant in a summons case. It provides that if the complainant does not appear on the day appointed for the appearance of the accused, the Magistrate shall acquit the accused, unless there is a reason to adjourn the hearing.

76. Suppose F.I.R. is not registered by the Station House Officer. What are the options that the complainant has?
(A) Approach Superintendent of Police
(B) Approach Magistrate by filing Private Complaint
(C) None of these
(D) Both (Approach Superintendent of Police) & (Approach Magistrate by filing Private Complaint)

Ans :

(D) Both (Approach Superintendent of Police) & (Approach Magistrate by filing Private Complaint)
Explanation: If a Station House Officer refuses to register an FIR, the complainant has multiple remedies. Under Section 154(3) of the CrPC, they can send the information to the Superintendent of Police. Alternatively, under Section 156(3) read with Section 190, they can file a private complaint directly with the concerned Magistrate.

77. Which of the following Section of Civil Procedure Code deals with the concept of Res Judicata?
(A) Section 10
(B) Section 11
(C) Section 12
(D) Section 13.

Ans :

(B) Section 11
Explanation: Section 11 of the Code of Civil Procedure, 1908, embodies the doctrine of Res Judicata. This principle prevents the re-litigation of a matter that has already been finally decided by a competent court between the same parties. It aims to bring finality to litigation and prevent judicial time from being wasted.

78. Mr. X, Mr. Y and Mr. Z are jointly and severally liable for 10,000 under a decree obtained by Mr. A. Mr. Y obtains a decree for 10,000 against Mr. A singly and applies for execution to the Court in which the joint-decree is being executed. Which of the following option is correct for Mr. A?
(A) Mr. A may treat his joint-decree as cross-decree under Order 21 Rule 18.
(B) Mr. A cannot treat his joint-decree as cross-decree under Order 21 Rule 18.
(C) Mr. A cannot treat his joint-decree as cross-decree under Order 22 Rule 18.
(D) None of these

Ans :

(B) Mr. A cannot treat his joint-decree as cross-decree under Order 21 Rule 18.

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Explanation: Order 21, Rule 18 of the CPC deals with the execution of cross-decrees. For this rule to apply, the parties must fill the same character in both suits. In this case, in one decree 'A' is the decree-holder against 'X, Y, and Z', while in the other, 'Y' is the decree-holder against 'A' alone. Due to this lack of mutuality, they are not considered cross-decrees.

79. A, B and C are coparceners of Joint Hindu Family. They jointly execute a mortgage in favour of Y. Y files a suit against all of them. Summons is served to C but not to A and B. None of them appears and an ex parte decree is passed against all. A and B applied to set aside the ex parte decree. The decree will be set aside against.
(A) Only C
(B) Only A & B
(C) A, B and C
(D) None of these

Ans :

(C) A, B and C
Explanation: The decree is joint and indivisible against the coparceners. If the ex parte decree is set aside against A and B due to non-service of summons, it must be set aside against all the defendants, including C. This is because the rights and liabilities of the coparceners are intertwined, and a contradictory decree cannot stand.

80. Which of the following provision of Civil Procedure Code, 1908 deals with the Institution of Suits?
(A) Section 22
(B) Section 24
(C) Section 26
(D) Section 28

Ans :

(C) Section 26
Explanation: Section 26 of the Code of Civil Procedure, 1908, is the primary provision that deals with the institution of suits. It states that every suit shall be instituted by the presentation of a plaint or in such other manner as may be prescribed. It lays down the foundational step for initiating civil litigation.

81. Defendant shall, within days from the date of service of summon on him, present a Written Statement of his defence (ORDER VIII).
(A) 15
(B) 30
(C) 60
(D) 45

Ans :

(B) 30
Explanation: According to Order VIII, Rule 1 of the Code of Civil Procedure, 1908, the defendant must present a written statement of his defense within thirty days from the date of service of summons on him. The court has the discretion to extend this period, but the initial time frame is thirty days.

82. Which of the following statement is incorrect?
(A) First appeal can be on question of fact or law or both.
(B) Second appeal can be on substantial question of law only.
(C) Second appeal can be on question of fact or law or both.
(D) First appeal may or may not be in the High Court, Second appeal has to be in the High Court.

Ans :

(C) Second appeal can be on question of fact or law or both.
Explanation: Under Section 100 of the Code of Civil Procedure, 1908, a second appeal lies to the High Court only on a substantial question of law. It cannot be on a question of fact. In contrast, a first appeal (Section 96) can be on questions of fact, law, or both. Therefore, the statement in option (C) is incorrect.

83. Which Order of Civil Procedure Code deals with Temporary Injunction and Interlocutory Injunction?
(A) Order 38
(B) Order 39
(C) Order 40
(D) Order 41

Ans :

(B) Order 39
Explanation: Order 39 of the Code of Civil Procedure, 1908, contains the detailed rules and

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procedures for granting temporary injunctions and interlocutory orders. These are provisional reliefs granted by the court to preserve the subject matter of the suit until the final disposal of the case.

84. A is a tradesman in Ahmedabad, B carries on business in Delhi. B, by his agent in Ahmedabad, buys goods of A and requests A to deliver them to the Western Roadways Transport Company. A delivers the goods accordingly in Ahmedabad. A may sue B for the price of the goods.
(A) In Ahmedabad only
(B) In Delhi only
(C) In either Ahmedabad or Delhi
(D) Anywhere in India

Ans :

(C) In either Ahmedabad or Delhi
Explanation: As per Section 20 of the CPC, a suit can be filed where the defendant resides (Delhi) or where the cause of action, wholly or in part, arises. The contract was made and the goods were delivered in Ahmedabad, so part of the cause of action arose there. Thus, A can sue B in either Delhi or Ahmedabad.

85. The doctrine of 'Res Gestae' has been discussed in which Section of the Evidence Act?
(A) Section 5
(B) Section 6
(C) Section 10
(D) Section 11

Ans :

(B) Section 6
Explanation: The doctrine of 'Res Gestae' is embodied in Section 6 of the Indian Evidence Act, 1872. This principle deals with the relevance of facts that are so connected with a fact in issue as to form part of the same transaction. Such facts are admissible as evidence, even if they would otherwise be considered hearsay.

86. When the liability of a person who is one of the parties to the suit depends upon the liability of a stranger to the suit, then an admission by the stranger in respect of his liability shall be an admission on the part of that person who is a party to the suit. It has been so provided under which Section of the Indian Evidence Act, 1872 ?
(A) Section 17
(B) Section 18
(C) Section 19
(D) Section 21

Ans :

(C) Section 19
Explanation: Section 19 of the Indian Evidence Act, 1872, covers this specific situation. It states that statements made by persons whose position or liability it is necessary to prove as against any party to the suit, are admissions if such statements would be relevant as against such persons in relation to such position or liabili11ty.

87. Judicial Evidence means
(A) Evidence received by Courts in proof or disproof of facts
(B) Evidence received by Police Officer
(C) Evidence received by Home Department
(D) Evidence received by Tribunal.

Ans :

(A) Evidence received by Courts in proof or disproof of facts
Explanation: Judicial evidence refers to the evidence that is legally admissible and received by a court of law during a trial or hearing to prove or disprove a fact in issue. It is the information presented to the court according to the established rules of evidence to help the judge or jury decide the case.

88. Which of the following is not a 'document' according to the Indian Evidence Act, 1872 ?
(A) An inscription on a metal plate or stone
(B) A map or plan
(C) A caricature
(D) None of these

Ans :

(D) None of these
Explanation: Section 3 of the Indian Evidence Act, 1872, gives a very wide definition of "document." It includes any matter expressed or described upon any substance by means of letters, figures, or marks. An inscription, a map, and a caricature all fit this definition. Therefore, none of the options are excluded from being a document.

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89. "Presumptions as to Dowry Deaths" is given under which Section?
(A) 113A
(B) 113B
(C) 114A
(D) 114B

Ans :

(B) 113B
Explanation: Section 113B of the Indian Evidence Act, 1872, deals with the presumption as to dowry death. It states that if it is shown that a woman was subjected to cruelty or harassment for dowry soon before her death, the court shall presume that such person had caused the dowry death.

90. Which of the following is not 'Secondary evidence' as per Section 63 of Indian Evidence Act, 1872 ?
(A) Copies made from the original by mechanical processes which in themselves insure the accuracy of the copy, and copies compared with such copies.
(B) Copies made from or compared with the original.
(C) Oral accounts of the contents of a document given by some person who has himself seen it.
(D) Copies not certified under Section 63.

Ans :

(D) Copies not certified under Section 63.
Explanation: Section 63 of the Indian Evidence Act defines secondary evidence. It includes certified copies, copies made by mechanical processes, copies compared with the original, and oral accounts of the contents by a person who has seen the original. A copy that is not certified is not necessarily excluded, but "copies not certified under Section 63" is not a defined category.

91. As per Order VI, Pleading shall mean?
(A) Plaint
(B) Written Statement
(C) Both Plaint and Written Statement
(D) None of these

Ans :

(C) Both Plaint and Written Statement
Explanation: Order VI, Rule 1 of the Code of Civil Procedure, 1908, explicitly defines "pleading." It states that 'pleading' shall mean a plaint or a written statement. These are the formal written statements filed by the plaintiff and defendant, respectively, outlining their claims and defenses.

92. Which of the following Order deals with "Death, Marriage and Insolvency of Parties"?
(A) Order 20
(B) Order 21
(C) Order 22
(D) Order 23

Ans :

(C) Order 22
Explanation: Order 22 of the Code of Civil Procedure, 1908, specifically addresses the consequences of the death, marriage, and insolvency of parties during the pendency of a suit. It outlines the procedures for the substitution of legal representatives to ensure that the suit can continue and does not abate.

93. The Arbitral Tribunal shall not be bound by ------ in the determination of rules of procedure.
(A) The Code of Civil Procedure, 1908
(B) The Indian Evidence Act, 1872
(C) The Code of Criminal Procedure, 1973
(D) Both, (The Code of Civil Procedure, 1908) and (The Indian Evidence Act, 1872)

Ans :

(D) Both, (The Code of Civil Procedure, 1908) and (The Indian Evidence Act, 1872)
Explanation: Section 19(1) of the Arbitration and Conciliation Act, 1996, grants procedural autonomy to the arbitral tribunal. It explicitly states that the tribunal shall not be bound by the Code of Civil Procedure, 1908, or the Indian Evidence Act, 1872, allowing for a more flexible and efficient dispute resolution process.

94. Which of the following Section deals with "Arbitration Agreement" in Arbitration and Conciliation Act, 1996 ?
(A) Section 6
(B) Section 7
(C) Section 8
(D) Section 9

Ans :

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(B) Section 7
Explanation: Section 7 of the Arbitration and Conciliation Act, 1996, is the key provision that defines an "arbitration agreement." It specifies that the agreement must be in writing and can be in the form of an arbitration clause within a contract or a separate agreement to submit disputes to arbitration.

95. Under what circumstances the arbitral proceedings can be terminated?
1 Final Arbitral award
2 Interim award
3 Where the arbitral tribunal issues an order for the termination
(A) 1 and 3
(B) 1 and 2
(C) 2 and 3
(D) 1, 2 and 3

Ans :

(A) 1 and 3
Explanation: According to Section 32 of the Arbitration and Conciliation Act, 1996, arbitral proceedings are terminated by the final arbitral award or by an order of the tribunal. An interim award resolves some issues but does not terminate the entire proceeding. Termination by order can occur if the claimant withdraws, the parties agree, or the tribunal finds continuation unnecessary.

96. Under Section 29 of The Arbitration And Conciliation Act, 1996 arbitral proceedings with more than one arbitrator, any decision of the arbitral tribunal
(A) shall be made by all members
(B) shall be made by 2/3 majority of its members
(C) shall be made by the chief arbitrator
(D) shall be made by majority of its members

Ans :

(D) shall be made by majority of its members
Explanation: Section 29(1) of the Arbitration and Conciliation Act, 1996, states that in arbitral proceedings with more than one arbitrator, any decision of the arbitral tribunal shall be made by a majority of all its members. This ensures that the award reflects the collective judgment of the tribunal.

97. The provision for 'maintenance pendente lite' in Hindu Marriage Act, 1955 is given in
(A) Section 22
(B) Section 23
(C) Section 24
(D) Section 25

Ans :

(C) Section 24
Explanation: Section 24 of the Hindu Marriage Act, 1955, deals with "Maintenance pendente lite and expenses of proceedings." This provision allows the court to order one spouse to pay the other spouse's litigation expenses and provide financial support during the pendency of any proceeding under the Act, ensuring neither party is disadvantaged due to lack of funds.

98. A Muslim wife may sue for divorce under the Dissolution of Muslim Marriage Act, 1939 Section 2, if the husband has been insane for a period of:
(A) 1 year
(B) 2 years
(C) 5 years
(D) 7 years

Ans :

(B) 2 years
Explanation: Section 2(iii) of the Dissolution of Muslim Marriages Act, 1939, provides a ground for a wife to seek a decree for the dissolution of her marriage. She can do so if her husband has been insane for a continuous period of two years.

99. A leading question may be asked in
(A) Examination-in-chief
(B) Re-examination
(C) Cross examination
(D) None of these

Ans :

(C) Cross examination
Explanation: According to Section 143 of the Indian Evidence Act, 1872, leading questions (questions that suggest the desired answer) may be asked during cross-examination. They are generally not permitted during examination-in-chief or re-examination without the court's permission, as they can unduly influence a witness's testimony.

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100. Extra Judicial Confession means

(A) Confessions made either to Police or person other than Judges and Magistrates.

(B) Confessions made before Magistrates.

(C) Confessions made before Judges.

(D) None of these

Ans :

(A) Confessions made either to Police or person other than Judges and Magistrates.

Explanation: An extra-judicial confession is a confession made by an accused person outside of a formal judicial proceeding. This includes confessions made to any person other than a judge or magistrate who is officially recording it, such as a private citizen or a police officer (though confessions to police are generally inadmissible).

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ALL INDIA BAR EXAMINATION XVI

1. The Hindu Marriage Act, 1955 petition in which a decree of restitution of conjugal rights has been passed to apply to the court for a decree for divorce by showing that there has been no restitution of conjugal rights as between parties of marriage for a period of one year or upwards after passing of the decree
(1) Does not permit any party to that
(2) Does not permit the party against whom the
(3) Does permit any party to that
(4) Does permit any person related to either party to that

Ans :

(3) Does permit any party to that
Explanation: Section 13(1A)(ii) of the Hindu Marriage Act, 1955, allows either party to the marriage to file a petition for divorce. This right arises if there has been no restitution of conjugal rights for a period of one year or more after the passing of a decree for the same, irrespective of who obtained the original decree.

2. The commission of offences under the Prohibition of Child Marriage Act, 2006 are
(1) Cognizable and bailable
(2) Non cognizable and non-bailable
(3) Cognizable and non-bailable
(4) Non cognizable and bailable

Ans :

(3) Cognizable and non-bailable
Explanation: Section 15 of the Prohibition of Child Marriage Act, 2006, explicitly states that any offence punishable under this Act shall be cognizable and non-bailable. This classification underscores the seriousness of the offense, allowing police to arrest without a warrant and making the grant of bail more stringent for the accused.

3. An arbitration proceeding is a
(1) Judicial proceeding
(2) Quasi-judicial proceeding
(3) Administrative proceeding
(4) None of the above

Ans :

(2) Quasi-judicial proceeding
Explanation: Arbitration is considered a quasi-judicial proceeding. While it involves an impartial tribunal deciding a dispute based on evidence and legal principles, similar to a court, it operates outside the formal state judicial system. Arbitrators, chosen by the parties, follow a more flexible procedure than that of traditional courts.

4. What is ad hoc arbitration?
(1) It is a proceeding administered by the parties themselves, with rules created solely, for that specific case
(2) Parties make their own arrangement with respect to all aspects of the arbitration, including the laws and rules
(3) The seal of arbitration, the language, and the scope and issues to be resolved by means of arbitration.
(4) (a) (b) (c)

Ans :

(4) (a) (b) (c)
Explanation: Ad hoc arbitration is a process where the parties agree to arbitrate without involving an established arbitral institution. The parties themselves define the procedure, rules, and all other aspects of the proceeding for their specific dispute. This offers maximum flexibility but requires significant cooperation between the parties to establish a functional framework.

5. Which of the following Sections of the Civil Procedure Code define the 'Mesne Profit?
(1) Section 2 (4)
(2) Section 2 (14)
(3) Section 2 (6)
(4) Section 2 (12)

Ans :

(4) Section 2 (12)

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Explanation: Section 2(12) of the Code of Civil Procedure, 1908, provides the definition of 'mesne profits'. It refers to the profits that a person in wrongful possession of property actually received or could have received with ordinary diligence. It includes interest on such profits but excludes profits from improvements made by the wrongful possessor.

6. How many kinds of presumptions are there as classified by the Supreme Court?
(1) Permissive presumptions or presumptions of facts
(2) Compelling presumptions or presumptions of law (rebuttable presumptions)
(3) Irrebuttable presumptions of law or conclusive presumptions.
(4) All of them

Ans :

(4) All of them
Explanation: The judiciary, including the Supreme Court, classifies presumptions into three main categories. These are permissive presumptions (presumptions of fact, or 'may presume'), rebuttable presumptions of law ('shall presume'), and irrebuttable presumptions of law (conclusive proof). All these types are recognized and applied in the Indian legal system.

7. What is the leading decision in the case of Menaka Gandhi Vs Union of India?
(1) Right of hearing
(2) Separation of powers
(3) Delegated legislation
(4) Rule of evidence

Ans :

(1) Right of hearing
Explanation: The landmark case of Maneka Gandhi v. Union of India significantly expanded the scope of Article 21 of the Constitution. The Supreme Court held that the 'procedure established by law' must be fair, just, and reasonable, not arbitrary. This implicitly includes the principle of natural justice, specifically the right of hearing (Audi Alteram Partem).

8. Advocate's Act 1961 came into force on:
(1) 19th May, 1961
(2) 19th April, 1961
(3) 1st May, 1961
(4) 19th January, 1961

Ans :

(1) 19th May, 1961
Explanation: The Advocates Act, 1961, received the assent of the President of India and was officially published in the Gazette of India on the 19th of May, 1961. This comprehensive legislation was enacted to amend and consolidate the law relating to legal practitioners and to provide for the constitution of Bar Councils and an All-India Bar.

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9. A Railway servant was killed in a bus accident during the course of employment. His family members may claim compensation under
(1) The Motor Vehicle Act
(2) The Employees Compensation Act, 1923
(3) Both (a) and (b)
(4) Either under (a) OR under (b)

Ans :

(4) Either under (a) OR under (b)
Explanation: The family of the deceased has the option to claim compensation under either the Motor Vehicles Act, 1988, or the Employees' Compensation Act, 1923, but not both. They must choose the remedy that they believe will be more advantageous. This principle, known as the doctrine of election, prevents double recovery for the same incident.

10. ""Casting Couch"" in Bollywood, the Indian film industry, is an example of
(1) sexual assault
(2) sexual harassment
(3) both (a) and (b)
(4) None of the above

Ans :

(2) sexual harassment
Explanation: "Casting couch" refers to the practice of demanding sexual favors from a job applicant in exchange for employment, typically in the entertainment industry. This constitutes a form of quid pro quo sexual harassment at the workplace, which is prohibited under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

11. According to section 2 of motor vehicles Act, 1988 the term motor cab means any motor vehicle constructed or adapted to carry not more than
(1) 5 passengers including the driver
(2) 6 passengers including the driver
(3) 5 passengers excluding the driver
(4) 6 passengers excluding the driver

Ans :

(4) 6 passengers excluding the driver
Explanation: Section 2(25) of the Motor Vehicles Act, 1988, defines a 'motorcab'. According to this definition, a motorcab is any motor vehicle constructed or adapted to carry not more than six passengers, excluding the driver, for hire or reward. This distinguishes it from other categories of passenger vehicles like omnibuses.

12. The National Consumer Commission of Consumer Protection is composed of
(1) 7 members
(2) 5 members
(3) 8 members
(4) 6 members

Ans :

(2) 5 members
Explanation: The composition of the National Consumer Disputes Redressal Commission is specified in the Consumer Protection Act. As per the original framework and subsequent rules, it consists of a President and not less than four other members. Therefore, the commission is composed of a minimum of five members.

13. Which of the following sections of the Hindu Adoption and Maintenance Act, 1956 deals with " amount of maintenance"?
(1) Section 21
(2) Section 22
(3) Section 23
(4) Section 24

Ans :

(3) Section 23
Explanation: Section 23 of the Hindu Adoptions and Maintenance Act, 1956, specifically addresses the "Amount of maintenance." It empowers the court to determine the amount of maintenance to be awarded, taking into consideration various factors like the status of the parties, their needs, and their assets, and ensuring the amount is just.

14. In which of the following case the Supreme Court First of all made an attempt to look into the question regarding the extension of the right to life to the right to Health and other Hygienic conditions
(1) The Rural Litigation and Entitlement Kendra Vs State of Uttar Pradesh.
(2) M.C Mehta Vs Union of India
(3) V. Lakshmipathy Vs State of Karnataka
(4) F.K. Hussain Vs Union of India.

Ans :

(1) The Rural Litigation and Entitlement Kendra Vs State of Uttar Pradesh.
Explanation: In the case of Rural Litigation and Entitlement Kendra v. State of U.P., also known as the Dehradun Quarrying case, the Supreme Court for the first time broadened the scope of Article 21. It recognized that the right to life includes the right to a healthy environment and hygienic conditions, linking environmental protection to fundamental rights.

15. Basel Convention is associated with one of the following -
(1) International Trade in Endangered species of wild Fauna & flora
(2) Climate change
(3) Protection of Ozone layer
(4) The control of transboundary movement of Hazardous waste and their disposal.

Ans :

(4) The control of transboundary movement of Hazardous waste and their disposal.
Explanation: The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal is an international treaty. Its primary objective is to protect human health and the environment against the adverse effects resulting from the generation, management, transboundary movements, and disposal of hazardous and other wastes.

16. The nature of Cyber crime is
(1) Tangible
(2) Intangible
(3) Of mental Violence

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(4) None of the above

Ans :

(2) Intangible
Explanation: Cybercrime is generally intangible in nature. Unlike traditional crimes that involve physical objects and actions, cybercrimes occur in the digital realm of computer systems and networks. The harm caused, though real, is often not physical. The evidence and the crime scene itself are electronic and non-physical.

17. Under Civil Procedure Code, 1908 "Foreign Court" means
(1) A court situated outside India
(2) A court situated outside India and not established under the authority of Government of India
(3) A court situated in India, applying foreign law
(4) All of the above

Ans :

(2) A court situated outside India and not established under the authority of Government of India
Explanation: Section 2(5) of the Code of Civil Procedure, 1908, defines a "foreign Court". The definition has two key elements: the court must be situated outside India, and it must not have been established or continued by the authority of the Central Government of India. Both conditions must be met.

18. Misuse of mechanism of PIL means
(1) filing PIL for protection of private interest
(2) filing PIL for oblique motive
(3) filing PIL only for publicity
(4) All of the above

Ans :

(4) All of the above
Explanation: Public Interest Litigation (PIL) is intended for the public good. Misuse of this mechanism occurs when it is employed for purposes other than genuine public interest. This includes filing petitions to serve private interests, for ulterior or oblique motives, or merely to gain publicity, all of which are condemned by the courts.

19. What is meant by procedural ultra-vires?
(1) It is the non-observance of the procedural norms by the rule making authority
(2) It may make the rule ultra vires due to non-observance of rule-making authority and hence become void
(3) (a) and (b)
(4) It means the lacuna in the procedure of law

Ans :

(3) (a) and (b)
Explanation: The doctrine of procedural ultra vires applies when a subordinate legislation is made in breach of the procedural requirements prescribed by the parent Act. This non-observance of mandatory procedural norms by the rule-making authority can render the resulting rule or regulation void and invalid, as it goes beyond the power conferred.

20. The ground of " error of law apparent on the face of the record" is connected with which of the writ?
(1) Quo-warranto
(2) Mandamus
(3) Habeas Corpus
(4) Certiorari

Ans :

(4) Certiorari
Explanation: The writ of Certiorari is issued by a higher court to a lower court or tribunal to quash an order that is legally flawed. One of the primary grounds for issuing this writ is an "error of law apparent on the face of the record," where a mistake in applying the law is obvious without extensive examination.

21. Under Civil Procedure Code find the incorrect match:
(1) Section 5... Revenue Court
(2) Section 7..... Provincial Small Causes Court
(3) Section 9..... Pecuniary Jurisdiction of Courts
(4) Section 8... Presidency Small Cause Courts

Ans :

(3) Section 9..... Pecuniary Jurisdiction of Courts
Explanation: Section 9 of the CPC deals with the jurisdiction of civil courts to try all civil suits unless barred, which is their subject-matter

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jurisdiction. Pecuniary jurisdiction, which relates to the monetary value of the suit, is primarily dealt with under Section 6 of the Code of Civil Procedure.

22. What is the Period of Limitation for expeditious disposal of Suit under Specific Relief Act 1963:
(1) 6 months
(2) 10 months
(3) 12 months
(4) 18 months

Ans :

(3) 12 months
Explanation: Section 20C of the Specific Relief (Amendment) Act, 2018, which amended the 1963 Act, mandates the expeditious disposal of suits filed under this Act. It provides that such suits should be disposed of within a period of twelve months from the date of service of summons to the defendant.

23. A Chief Judicial Magistrate may pass a sentence of imprisonment
(1) Not exceeding seven years
(2) Exceeding seven years
(3) For life
(4) None of the above

Ans :

(1) Not exceeding seven years
Explanation: According to Section 29(1) of the Code of Criminal Procedure, 1973, a Chief Judicial Magistrate (CJM) has the authority to pass any sentence of imprisonment for a term not exceeding seven years, or a fine of any amount, or both. Their sentencing power is limited to this seven-year maximum.

24. Harbouring an offender who has escaped from custody, or whose apprehension has been ordered, if the offence be capital is dealt under
(1) Section 215 of IPC
(2) Section 216 of IPC
(3) Section 217 of IPC
(4) Section 218 of IPC

Ans :

(2) Section 216 of IPC
Explanation: Section 216 of the Indian Penal Code specifically deals with the offence of harbouring an offender who has escaped from custody or whose apprehension has been ordered. It prescribes different punishments based on the severity of the offence committed by the person being harboured, including a higher penalty if the original offence is capital.

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25. The maxim 'actus not facit reum nisi mens sit red' means
(1) There can be no crime without a guilty mind
(2) Crime has to be coupled with guilty mind
(3) Crime is the result of guilty mind
(4) In crime intention is relevant, motive is irrelevant

Ans :

(1) There can be no crime without a guilty mind
Explanation: The Latin maxim 'actus non facit reum nisi mens sit rea' is a fundamental principle of criminal law. It translates to "an act does not make a person guilty unless their mind is also guilty." This means that to establish criminal liability, the prosecution must prove both a wrongful act (actus reus) and a guilty mind (mens rea).

26. Law laid down under section -73 of Indian Contract Act 1872 is related to which of the following cases:
(1) Hothester Vs De-la-tur
(2) Rabinson Vs Devison
(3) Hedley Vs Baxendal
(4) Dikinson Vs Dads

Ans :

(3) Hedley Vs Baxendal
Explanation: The principles for awarding damages for breach of contract, now codified in Section 73 of the Indian Contract Act, 1872, were laid down in the English case of Hadley v. Baxendale. This case established the rule that damages should be limited to those that arise naturally from the breach or were reasonably in the contemplation of both parties at the time of the contract.

27. Recovery of Specific Immovable Property may be obtained by C.P.C within what period
(1) Within 7 months
(2) Within 6 months
(3) Within 8 months
(4) Within 10 months

Ans :

(2) Within 6 months
Explanation: Section 6 of the Specific Relief Act, 1963, provides a summary remedy for a person dispossessed of immovable property without their consent and otherwise than in due course of law. Such a person can file a suit to recover possession, but this suit must be brought within six months from the date of dispossession.

28. Who appoints the Commissioner for rehabilitation and resettlement under the LARR Act?
(1) LARR Authority
(2) Minister of Environment and Forests
(3) Central Government
(4) State Government

Ans :

(4) State Government
Explanation: Under Section 44 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (LARR) Act, 2013, the State Government is responsible for appointing a Commissioner for Rehabilitation and Resettlement. This official is tasked with supervising the formulation and execution of rehabilitation and resettlement schemes.

29. The Bond under section 109 Cr.P.C as security for good behaviour from suspected person can be executed for a period not exceeding:
(1) Six months
(2) Two years
(3) One year
(4) Three months

Ans :

(3) One year
Explanation: Section 109 of the Code of Criminal Procedure allows a Magistrate to demand security for good behaviour from persons taking precautions to conceal their presence with a view to committing an offence. The bond executed for this purpose cannot be for a period exceeding one year.

30. The maximum limit of Rs. 500 that could be paid to the wife as maintenance under Section 125 of the Cr.P.C 1973 was removed in:
(1) 1973
(2) 1989
(3) 2001
(4) 2007

Ans :

(3) 2001
Explanation: Initially, Section 125 of the Cr.P.C. 1973 had a cap of ₹500 per month for maintenance. This ceiling was removed by the Code of Criminal Procedure (Amendment) Act, 2001. After this amendment, the Magistrate has the discretion to award a reasonable amount of maintenance as they deem fit, without any upper monetary limit.

31. The term "WIPO" stands for:
(1) World Investment policy organization
(2) World intellectual property organization
(3) Wildlife Investigation and Policing organization
(4) World institute for Prevention of organized crime

Ans :

(2) World intellectual property organization
Explanation: WIPO stands for the World Intellectual Property Organization. It is a specialized agency of the United Nations, established in 1967, to promote the protection of intellectual property (such as patents, copyrights, and trademarks) throughout the world through cooperation among states and in collaboration with other international organizations.

32. Health and education cess is applicable to -
(1) All assesses
(2) All assesses except company
(3) Individual / HUF
(4) Company only

Ans :

(1) All assesses
Explanation: The Health and Education Cess is levied on the amount of income tax payable by all categories of taxpayers or assessees in India. This includes individuals, Hindu Undivided Families (HUFs), companies, firms, and any other person liable to pay income tax. It is calculated as a percentage of the total income tax amount.

33. Contractual Liability arises, where:

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(1) There is offer and acceptance only.
(2) There is intention to create legal relation.
(3) There is loss to one party
(4) The loss of one party is the gain of other party

Ans :

(2) There is intention to create legal relation.
Explanation: For an agreement to become a legally binding contract, the parties must have an intention to create legal relations. While offer and acceptance are essential, agreements of a purely social or domestic nature are often not enforceable as they lack this crucial intention to be legally bound by the promises made.

34. Provisions of Section 10 of CPC are:
(1) Directory
(2) Mandatory
(3) None Mandatory
(4) Discretionary

Ans :

(2) Mandatory
Explanation: Section 10 of the Code of Civil Procedure, which deals with the stay of a suit (Res Sub Judice), is considered mandatory. It directs that no court shall proceed with the trial of any suit in which the matter in issue is also directly and substantially in issue in a previously instituted suit between the same parties.

35. Constructive res-judicata is contained in which of the following?
(1) Explanation III to Section 11
(2) Explanation IV to Section 11
(3) Explanation VI to Section 11
(4) Explanation VIII to Section 11

Ans :

(2) Explanation IV to Section 11
Explanation: The principle of constructive res-judicata is embodied in Explanation IV to Section 11 of the Code of Civil Procedure. It states that any matter which might and ought to have been made a ground of defence or attack in the former suit shall be deemed to have been a matter directly and substantially in issue in that suit.

36. The famous pronouncement of Delhi High Court regarding constitutional validity of section 377 Indian Penal Code reversed by Supreme Court in:
(1) NALSA Vs Union of India
(2) Naz Foundation Vs Government of NCT of Delhi
(3) Shabnam Hasmi Vs Union of India
(4) Suresh Kaushal Vs Naz Foundation

Ans :

(4) Suresh Kaushal Vs Naz Foundation
Explanation: In 2009, the Delhi High Court in Naz Foundation v. Govt. of NCT of Delhi decriminalized consensual homosexual acts. However, in 2013, the Supreme Court in Suresh Kumar Koushal v. Naz Foundation reversed this decision, recriminalizing homosexuality. This was later overturned by the Supreme Court in the 2018 Navtej Singh Johar case.

37. Reference to the Arbitration is provided in which section of the Arbitration and Conciliation Act, 1996
(1) Section 7
(2) Section 8
(3) Section 9
(4) Section 10

Ans :

(2) Section 8
Explanation: Section 8 of the Arbitration and Conciliation Act, 1996, empowers a judicial authority to refer the parties to arbitration. If a legal proceeding is initiated in a matter that is the subject of an arbitration agreement, the court, upon application by a party, must refer the dispute to arbitration.

38. Under the head subsequent conduct, which of the following type of conduct would be material?
(1) Change of life
(2) Evasion of justice
(3) Fear, trembling
(4) All of them

Ans :

(4) All of them
Explanation: Under Section 8 of the Indian Evidence Act, 1872, the subsequent conduct of an accused person is a relevant fact. This includes a wide range of behaviors observed after the alleged crime, such as absconding or evading justice, showing signs of fear, or making

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a significant change in lifestyle, all of which can be considered by the court.

39. Freedom of Residence under Article 19 of the Indian Constitution is available in which of the following clauses?
(1) Clause (1) (E)
(2) Clause (1) (D)
(3) Clause (1) (B)
(4) Clause (1) (C)

Ans :

(1) Clause (1) (E)
Explanation: The right of every citizen of India to reside and settle in any part of the territory of India is guaranteed under Article 19(1)(e) of the Constitution. This freedom, however, is subject to reasonable restrictions mentioned in Article 19(5) in the interest of the general public or for the protection of any Scheduled Tribe.

40. Under which section of the Evidence Act, admissions are defined?
(1) 17
(2) 16
(3) 15
(4) 18

Ans :

(1) 17
Explanation: Section 17 of the Indian Evidence Act, 1872, provides the definition of an admission. An admission is a statement, oral or documentary or contained in electronic form, which suggests any inference as to any fact in issue or relevant fact, and which is made by any of the persons, and under the circumstances, mentioned in the Act.

41. In which of the following cases the Supreme Court has held that the investigating officer should be allowed to refer to the records of investigation
(1) State of Karnataka Vs Yarappa Reddi
(2) Mohammed Khalid Vs State of West Bengal
(3) Baburam Vs State of U. P.
(4) State of Rajasthan Vs Om prakash

Ans :

(1) State of Karnataka Vs Yarappa Reddi
Explanation: In the case of State of Karnataka v. Yarappa Reddi, the Supreme Court clarified the use of police diaries. It held that while the accused has no right to see the diary, the court can use it to aid its inquiry, and the investigating officer can use it to refresh their memory during testimony, as permitted under the Evidence Act.

42. If a party who obtained an order for leave to amend pleading does not amend the same within how many days, he shall not be permitted to do that without the leave of the Court
(1) Fifteen days
(2) Fourteen days
(3) Twenty days
(4) Thirty days

Ans :

(2) Fourteen days
Explanation: As per Order VI, Rule 18 of the Code of Civil Procedure, 1908, if a party has obtained an order for leave to amend their pleadings but fails to do so within the time limited for that purpose by the order, or if no time is limited, then within fourteen days from the date of the order, they cannot amend without further leave from the court.

43. Punishment of advocates for misconduct has been given under section of the Advocate's Act - 1961
(1) 30
(2) 32
(3) 35
(4) None

Ans :

(3) 35
Explanation: Section 35 of the Advocates Act, 1961, deals with the punishment of advocates for misconduct. It empowers the disciplinary committee of a State Bar Council to reprimand the advocate, suspend them from practice for a certain period, or remove their name from the state roll of advocates, after giving them an opportunity to be heard.

44. Under which Section of IPC, Professional Negligence is often invoked against medical professionals in cases alleging professional negligence?
(1) 303A
(2) 304A
(3) 302

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(4) 305

Ans :

(2) 304A
Explanation: Section 304A of the Indian Penal Code is the provision typically invoked in cases of death due to medical negligence. It deals with causing death by a rash or negligent act not amounting to culpable homicide. For this section to apply, the negligence must be gross, indicating a high degree of carelessness.

45. A offers to bribe B, a public servant, as a reward for showing A some favour in the exercise of B's official functions. B accepts the bribe
(1) A has abetted the offence define in Section 160, IPC
(2) A has abetted the offence define in Section 161, IPC
(3) A has abetted the offence define in Section 162, IPC
(4) A has abetted the offence define in Section 163, IPC

Ans :

(2) A has abetted the offence define in Section 161, IPC
Explanation: Section 161 of the IPC (now repealed and covered under the Prevention of Corruption Act) dealt with public servants taking gratification other than legal remuneration. By offering the bribe which B accepted, A has abetted this specific offence. Abetment involves instigating, engaging in a conspiracy, or intentionally aiding the commission of an offence.

46. When Perpetual Injunction may be granted-
(1) Where the defendant is trustee of the Property for the plaintiff
(2) Where there is no standard for ascertaining the actual damage.
(3) Compensation in money would not afford adequate relief.
(4) All of the above

Ans :

(4) All of the above
Explanation: Section 38 of the Specific Relief Act, 1963, lists the circumstances under which a perpetual injunction may be granted. These include situations where the defendant is a trustee, where actual damage cannot be ascertained, and where monetary compensation would be inadequate. All the listed conditions are valid grounds for granting this relief.

47. An advocate is under an obligation to uphold the rule of law and ensure that the public justice system is enabled to function at its full potential. Any violation of the principle of professional ethic by an advocate is unfortunate and unacceptable. Ignoring even a minor violation/ misconduct militates against the fundamental foundation of the public justice system. It was said in
(1) Hikmant ali khan Vs Ishwar Prasad Arya, (1997) 3 SCC 131
(2) O. P. Sharma Vs high court of Punjab & Haryana, (2011) 6 SCC 86
(3) L.D. Jaikwal Vs state of Uttar Pradesh, (1984) 3 SCC 405
(4) Shamsher singh Bedi Vs High court of Punjab & Haryana, (1996) 7 SCC 99.

Ans :

(2) O. P. Sharma Vs high court of Punjab & Haryana, (2011) 6 SCC 86
Explanation: In the case of O.P. Sharma v. High Court of Punjab & Haryana, the Supreme Court made these strong observations. It emphasized the crucial role of advocates in maintaining the integrity of the justice system and stated that even minor ethical violations are unacceptable, as they undermine the foundation of public trust in the legal profession.

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48. Section 8 of the Companies Act, 2013 contains provision relating to
(1) incorporation of company
(2) formation of companies with charitable objects, etc
(3) effect of registration
(4) Effect of memorandum and articles.

Ans :

(2) formation of companies with charitable objects, etc
Explanation: Section 8 of the Companies Act, 2013, provides for the formation of non-profit companies. These companies are established for promoting commerce, art, science, sports, education, research, social welfare, religion, charity, protection of environment or any such

other object, and they apply their profits towards promoting their objectives rather than paying dividends.

49. The verification of the registered office shall be furnished to the registrar within a period of incorporation
(1) 30 days
(2) 60 days
(3) 90 days
(4) 120 days

Ans :

(1) 30 days
Explanation: According to Section 12(2) of the Companies Act, 2013, a company is required to furnish to the Registrar the verification of its registered office within a period of thirty days from the date of its incorporation. This ensures that the official address of the company is on public record.

50. Cyber law deals with
(1) All activities concerning the internet
(2) IPR
(3) E-commerce
(4) All of the above

Ans :

(4) All of the above
Explanation: Cyber law is a broad area of law that encompasses all legal issues related to the internet and cyberspace. This includes intellectual property rights (IPR) in the digital space, the legal framework for e-commerce transactions, data protection, and various other activities and crimes conducted via the internet.

51. The payment of compensation to railway employees by the railway administration for injury by accident is governed by:
(1) The Employees Compensation Act, 1923
(2) The payment of Wages Act, 1936
(3) Rights of Persons with Disabilities Act, 2016
(4) The Workmen Compensation Act, 1986

Ans :

(1) The Employees Compensation Act, 1923
Explanation: The Employees' Compensation Act, 1923 (formerly the Workmen's Compensation Act), is the primary legislation that governs the payment of compensation to employees (including railway employees) for injuries sustained by accident arising out of and in the course of their employment. It provides a framework for determining liability and the amount of compensation.

52. The minimum amount of compensation payable under Employees Compensation Act, 1923 in case of total permanent disablement of a railway servant due to accident is Rs
(1) Rs 80,000/-
(2) Rs 90,000/-
(3) Rs 1,40,000/
(4) Rs 1,20,000/-

Ans :

(3) Rs 1,40,000/
Explanation: As per Section 4(1)(b) of the Employees' Compensation Act, 1923, and subsequent amendments, the minimum amount of compensation for total permanent disablement is fixed. The amount has been revised over the years, and at the time of this exam paper, the applicable minimum amount was ₹1,40,000.

53. A company wishes to ensure that no one else can use their logo.
(1) Copy rights
(2) Trade mark
(3) Patent
(4) Industrial designs

Ans :

(2) Trade mark
Explanation: A trademark is a recognizable sign, design, or expression which identifies products or services of a particular source from those of others. A company's logo is a classic example of a trademark. Registering the logo as a trademark provides legal protection against its unauthorized use by others in commerce.

54. The Section of the Arbitration and Conciliation Act, dealing with the time of commencement of arbitral proceeding is
(1) Section 20
(2) Section 21
(3) Section 22
(4) None of the above

Ans :

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(2) Section 21
Explanation: Section 21 of the Arbitration and Conciliation Act, 1996, specifies when arbitral proceedings commence. It states that unless otherwise agreed by the parties, the arbitral proceedings in respect of a particular dispute commence on the date on which a request for that dispute to be referred to arbitration is received by the respondent.

55. Under Criminal procedure Code 1973, who shall record the information of rape being given by a rape victim?
(1) Officer in charge of the police station
(2) Deputy Superintendent of police
(3) Officer not below the rank of Sub Inspector
(4) Woman police officer or any Woman officer

Ans :

(4) Woman police officer or any Woman officer
Explanation: The proviso to Section 154(1) of the Code of Criminal Procedure, 1973, mandates that if information about certain offenses against women, including rape, is given by the victim, it must be recorded by a woman police officer or any woman officer. This is a protective measure to ensure sensitivity and comfort for the victim.

56. Under the provision of the code of criminal procedure, 1973
(1) Summons can be oral
(2) Summons cannot be served on corporate entities
(3) Summons are either for appearance or for producing a document/thing
(4) Summons can be served to servants in case the person on whose name summons are made cannot be found

Ans :

(3) Summons are either for appearance or for producing a document/thing
Explanation: Under the CrPC, a summons is a written order. Section 61 requires it to be in writing and in duplicate. Section 91 specifies that a summons can be issued to compel a person to produce a document or other thing. Therefore, a summons serves the dual purpose of compelling appearance or production.

57. Every person who is a member of a defence service or hold a any civil post under the Union, holds office during the pleasure of the
(1) Prime Minister
(2) President
(3) Council of Minister
(4) Both (A) and (B)

Ans :

(2) President
Explanation: Article 310(1) of the Constitution of India embodies the doctrine of pleasure. It states that members of the Defence Services, the civil services of the Union, and all-India services hold office during the pleasure of the President. Similarly, members of state services hold office during the pleasure of the Governor.

58. Which of the following statement / statements is/are false for the purpose of the Hindu Marriage Act, 1955?
I It is assumed that a person who is not Muslim, Santhal, Christian, Jew or Parsi by religion is Hindu
II A person who belongs to Lingayat sub sect is assumed to be Hindu
III A person converted who converted to another religion needs to follow local ritual/ custom for converting back to Hinduism
(1) I only
(2) I and II
(3) III only
(4) I and III

Ans :

(3) III only
Explanation: Statement I is not entirely accurate as the term Hindu is defined inclusively, and "Santhal" is a tribe, not a religion. Statement II is correct as Lingayats are considered Hindus. Statement III is false; no specific ritual is mandated by the Act for reconversion. A person's bona fide intention to be a Hindu is sufficient.

59. Provision for settlement of dispute outside court has been provided under Section..... of Civil Procedure Code
(1) 91
(2) 89
(3) 51
(4) 151

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Ans :

(2) 89
Explanation: Section 89 of the Code of Civil Procedure, 1908, provides for the settlement of disputes outside the Court. It empowers the court to refer a pending case to various alternative dispute resolution (ADR) mechanisms, such as arbitration, conciliation, judicial settlement including through Lok Adalat, or mediation, to facilitate an amicable resolution.

60. The Indian Evidence Act came into force on
(1) 6th October, 1860
(2) 1st March, 1974
(3) 15th March, 1872
(4) 1st September, 1872

Ans :

(4) 1st September, 1872
Explanation: The Indian Evidence Act, 1872, was enacted on March 15, 1872, but as specified in Section 1 of the Act itself, it came into force on the first day of September, 1872. This Act consolidated, defined, and amended the law of Evidence and applies to all judicial proceedings in or before any Court in India.

61. According to the provisions of Article 315 of the Indian Constitution:
I There shall be a public service commission for the Union and a Public Service commission for each state.
II The public service commission for the Union, if requested to do by the governor of a state may, with the approval of the president, agree to serve all or any of the needs of the state
Which of the above statements is/are correct?
(1) Only I
(2) Only II
(3) I and II
(4) None of them

Ans :

(3) I and II
Explanation: Article 315(1) mandates a Public Service Commission for the Union and for each State. Article 315(4) allows the Union Public Service Commission (UPSC), upon request from a State's Governor and with the President's approval, to serve the needs of that State. Both statements accurately reflect the provisions of the Constitution.

62. Any private person may arrest any person who:
(1) Commits compoundable offence in his presence
(2) Commits non-bailable offence in his presence
(3) Commits non-bailable offence and cognizable offence in his presence
(4) Commits offence in his presence or is a proclaimed offender

Ans :

(3) Commits non-bailable offence and cognizable offence in his presence
Explanation: Section 43 of the Code of Criminal Procedure, 1973, grants a limited power of arrest to private persons. A private person may arrest any individual who, in their presence, commits a non-bailable and cognizable offence, or any proclaimed offender. After the arrest, they must hand the person over to a police officer.

63. How long a warrant of arrest shall remain in force?
(1) 6 years
(2) 10 years
(3) 12 years
(4) Until executed or cancelled

Ans :

(4) Until executed or cancelled
Explanation: According to Section 70(2) of the Code of Criminal Procedure, 1973, every warrant of arrest issued by a Court under the Code shall remain in force until it is executed by the arrest of the person, or until it is cancelled by the Court which issued it. It does not have a fixed expiration date.

64. Rate of additional Depreciation will be --- under section 32 Indian Income Tax Act
(1) 10%
(2) 20%
(3) 15%
(4) 30%

Ans :

(2) 20%
Explanation: Section 32(1)(iia) of the Income Tax Act provides for an additional depreciation

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for new machinery or plant acquired and installed by an assessee engaged in the business of manufacture or production. The rate of this additional depreciation is 20% of the actual cost of such machinery or plant.

65. Amount of deduction under section 24 of The Income Tax Act from annual value is -
(1) 1/2 of Annual Value
(2) 1/3 of Annual Value
(3) 3/10 of Annual Value
(4) 1/10 of Annual Value

Ans :

(The PDF shows 3, but the text for 3 is 3/10. The correct answer is 30% or 3/10. The PDF may have a typo. I will assume 3/10 is correct.)
Explanation: Section 24(a) of the Income Tax Act allows a standard deduction from the Net Annual Value of a property chargeable under the head "Income from House Property." This standard deduction is a sum equal to thirty per cent (30% or 3/10) of the annual value, irrespective of the actual expenditure incurred.

66. The test of reasonableness is not wholly test and its contours are Fairley indicated by constitution.
(1) Subjective
(2) Objective
(3) Descriptive
(4) Summative

Ans :

(1) Subjective
Explanation: The "test of reasonableness," particularly when assessing restrictions on fundamental rights under Article 19, is not a purely subjective test left to the whims of the judiciary or executive. It is an objective test. The reasonableness of a restriction has to be determined in an objective manner and from the standpoint of the interests of the general public.

67. The power to enact a law relating to the citizenship of India is left to under the provisions of Article 11 of the Indian Constitution.
(1) President
(2) Council of ministers
(3) House of people
(4) Parliament

Ans :

(4) Parliament
Explanation: Article 11 of the Constitution of India explicitly empowers the Parliament to make any provision with respect to the acquisition and termination of citizenship and all other matters relating to it. This article grants Parliament the supreme authority to regulate the right of citizenship by law.

68. Promissory estoppel against Government agencies is decided in:
(1) Tweedle Vs Atkinson
(2) Dutton Vs Poole
(3) Pournami all Mills Vs State of Kerala
(4) Kedar Nath Vs Gauri Mohamad

Ans :

(3) Pournami all Mills Vs State of Kerala
Explanation: In the case of Pournami Oil Mills v. State of Kerala, the Supreme Court applied the doctrine of promissory estoppel against the government. It held that the government cannot go back on a promise made by it which has induced a person to act to their detriment, especially in matters of tax exemptions promised to new industries.

69. Frustration of contract is provided by which section of the India contract Act?
(1) Sec. 73
(2) Sec. 70
(3) Sec. 2 (d)
(4) Sec. 56

Ans :

(4) Sec. 56
Explanation: The doctrine of frustration, also known as supervening impossibility, is embodied in Section 56 of the Indian Contract Act, 1872. This section states that a contract to do an act which, after the contract is made, becomes impossible, or, by reason of some event which the promisor could not prevent, unlawful, becomes void.

70. Schedule II of the Employees Compensation Act 1923 deals with
(1) Age factor for calculating the amount of compensation
(2) List of persons who are included in the definition of 'Employee'
(3) List of occupational

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(4) List of injuries Deemed to Result in Permanent Total Disablement

Ans :

(2) List of persons who are included in the definition of 'Employee'
Explanation: Schedule II of the Employees' Compensation Act, 1923, provides a list of persons who are included in the definition of "employee" for the purposes of the Act. It enumerates various hazardous occupations and categories of employment, bringing the persons engaged in them under the protective ambit of the Act.

71. Admission can be broadly categorised into:
(1) Judicial
(2) Extra-judicial
(3) Either A and B
(4) Both A and B

Ans :

(4) Both A and B
Explanation: Admissions are broadly categorized into judicial and extra-judicial admissions. Judicial admissions are formal admissions made by a party during the course of a legal proceeding and are binding. Extra-judicial admissions are informal admissions made outside of court proceedings, which are also relevant but have less evidentiary weight.

72. Section 66, of Indian Evidence Act lays down:
(1) A notice must be given before secondary evidence can be received under section 65 (a), Indian Evidence Act
(2) Notice to produce a document must be in writing
(3) Order XI, Rules 15, of Civil Procedure Code, prescribes the kind of notice to produce a document
(4) All of them

Ans :

(4) All of them
Explanation: Section 66 of the Indian Evidence Act deals with the rules regarding notice to produce a document as a prerequisite for adducing secondary evidence under Section 65(a). The notice must be in writing, and the procedure for such notices is also governed by the relevant rules in the Code of Civil Procedure, like Order XI, Rule 15.

73. Maxim "Res Ipsa Loquitur" means:
(1) The thing speaks for itself
(2) Where there is right there is remedy
(3) Where there is remedy there is right
(4) Where there is no fault there is no remedy

Ans :

(1) The thing speaks for itself
Explanation: "Res ipsa loquitur" is a Latin maxim used in tort law, which translates to "the thing speaks for itself." It is a doctrine that allows negligence to be inferred from the very nature of an accident or injury, in the absence of direct evidence of how the defendant behaved.

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74. The Committee which led to the passing of the Criminal Law (Amendment) Act, 2013 was headed by
(1) Justice Dalveer Bhandari
(2) Justice Altamas Kabir
(3) Justice J.S Verma
(4) Justice A.S. Anand

Ans :

(3) Justice J.S Verma
Explanation: Following the 2012 Delhi gang rape case, the Government of India constituted a three-member committee to recommend amendments to criminal law to deal more effectively with sexual assault cases. This committee was headed by former Chief Justice of India, Justice J.S. Verma, and is popularly known as the Verma Committee.

75. Under the scheme of Criminal Procedure Code, non-cognizable offences are:
(1) Public wrongs
(2) Private wrongs
(3) Both public and private wrongs
(4) None of the above

Ans :

(2) Private wrongs
Explanation: Non-cognizable offences, as classified under the CrPC, are generally considered less serious and are often viewed as private wrongs. In such cases, the police cannot arrest without a warrant, and the aggrieved party

is typically required to file a private complaint before a magistrate to initiate legal proceedings.

76. A discrimination against a man or a woman, only on grounds of would be violative of Article 15 (1)
(1) Sex
(2) Remuneration
(3) Place of birth
(4) Religion

Ans :

(1) Sex
Explanation: Article 15(1) of the Indian Constitution explicitly prohibits the State from discriminating against any citizen on grounds only of religion, race, caste, sex, place of birth, or any of them. Therefore, discrimination against a man or woman solely on the ground of their sex is a direct violation of this fundamental right.

77. The "Objective Resolution" adopted by the constituent assembly on January 22, 1947 was drafted by whom
(1) Jawaharlal Nehru
(2) Dr. BR Ambedkar
(3) Dr. Rajendra Prasad
(4) B.N. Rao

Ans :

(1) Jawaharlal Nehru
Explanation: The "Objective Resolution" was a historic resolution moved in the Constituent Assembly by Pandit Jawaharlal Nehru on December 13, 1946. It laid down the fundamental principles and philosophy that were to guide the framing of the Indian Constitution and later became the basis for the Preamble.

78. Right to the property was eliminated from the list of Fundamental Rights during the tenure of
(1) Indira Gandhi
(2) Charan Singh
(3) Rajiv Gandhi
(4) Morarji Desai

Ans :

(4) Morarji Desai
Explanation: The Right to Property was removed from the list of Fundamental Rights by the 44th Constitutional Amendment Act, 1978. This amendment was enacted during the tenure of the Janata Party government, with Morarji Desai as the Prime Minister. The right was then made a constitutional right under Article 300-A.

79. When the accused states, "I will produce the share which I received in such and such robbery" which of the following are not admissible with regard to Section 25, Indian Evidence Act?
I An admission that there was a robbery
II An admission that the accused took part in it
III An admission that he got part of the property
IV A statement as to where the property is
(1) I II and III
(2) III and IV
(3) II, III and IV
(4) All of above

Ans :

(1) I II and III
Explanation: Under Section 27 of the Evidence Act, which is an exception to Section 25, only that portion of a confessional statement made to police that distinctly relates to the discovery of a fact is admissible. In this statement, the admissions of the robbery, participation, and receiving a share are confessional and inadmissible. Only the part leading to discovery is admissible.

80. The rule of Strict Liability is based on the decision in:
(1) Donoghue Vs Stevenson
(2) Homes Vs Ashford
(3) Rylands Vs Fletcher
(4) None of the above

Ans :

(3) Rylands Vs Fletcher
Explanation: The principle of strict liability in tort law was established in the landmark English case of Rylands v. Fletcher. This rule holds a person liable for damages caused by the escape of a dangerous thing they have brought onto their land, even in the absence of any negligence on their part.

81. The Rule of Last opportunity was Laid down in:-
(1) Davies Vs Manh
(2) State of A.P. Vs Ranganna
(3) Nugent vs Smith.
(4) Kalawati Vs state of HP

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Ans :

(1) Davies Vs Manh
Explanation: The Rule of Last Opportunity is a concept related to contributory negligence and was laid down in the case of Davies v. Mann. It posits that even if a plaintiff was negligent, the defendant would still be liable if they had the last clear opportunity to avoid the accident despite the plaintiff's negligence.

82. In which of the following case was it held that "the rights conferred under section 25 of the Hindu Adoption and Maintenance Act, 1956 supersedes any contract to the contrary. The fact that the date of decree makes no difference"?
(1) Surenderabal vs Suppiah
(2) Mukesh teli Vs Bharti Teli
(3) Sesi Ammal vs Thaiyu Ammal
(4) Laxmi Vs Krishna

Ans :

(3) Sesi Ammal vs Thaiyu Ammal
Explanation: In the case of Sesi Ammal v. Thaiyu Ammal, the court held that the statutory right to claim maintenance under Section 25 of the Hindu Adoptions and Maintenance Act, 1956, is a right that overrides any pre-existing agreement or contract to the contrary. This ensures that the statutory protection cannot be contracted away.

83. A plaint has to be presented to the Court under Order IV, Rule 1 in
(1) Single copy
(2) Duplicate
(3) Triplicate
(4) No fixed rule

Ans :

(2) Duplicate
Explanation: Order IV, Rule 1(1) of the Code of Civil Procedure, 1908, as amended, mandates that every suit shall be instituted by presenting a plaint in duplicate to the Court or such officer as it appoints in this behalf. This ensures that one copy remains with the court and the other is used for service on the defendant.

84. Omission to give notice under Order XXI. Rule 22 will
(1) Render the execution null and void
(2) Render the execution irregular
(3) Render the execution voidable
(4) Not affect the execution

Ans :

(1) Render the execution null and void
Explanation: Order XXI, Rule 22 of the CPC requires a notice to be issued to the judgment-debtor before executing a decree if more than two years have passed since the decree's date. The omission to issue this notice is considered a fundamental defect that goes to the jurisdiction of the executing court, rendering the subsequent execution sale null and void.

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85. Where a decree is passed against the Union of India or State for the Act done in the official capacity of the person concerned, under section. 82 CPC, execution, shall not be issued on any such decree unless the decree remains unsatisfied for a period1 of
(1) 3 months from the date of decree
(2) 6 months from the date of the decree
(3) 1 year from the date of the decree
(4) 2 years from the date of decree

Ans :

(1) 3 months from the date of decree
Explanation: Section 82 of the Code of Civil Procedure provides a specific time frame for the execution of decrees against the Government. It states that an execution shall not be issued on such a decree unless it remains unsatisfied for a period of three months, calculated from the date of the decree.

86. On which of the following dates did Hindu Marriage Act, 1955 come into operation?
(1) 18th May, 1955
(2) 17th June, 1955
(3) 22nd May, 1955
(4) 18th June, 1955

Ans :

(1) 18th May, 1955
Explanation: The Hindu Marriage Act, 1955, is a comprehensive piece of legislation that codified the law relating to marriage among Hindus. It received the assent of the President of India and officially came into force on the 18th of May, 1955. This date is specified in the Act itself.

87. Which of the following properties will section 30 of the Hindu Succession Act, 1956, govern?

I Tarwad
II Tavazhi
III Kutumba
IV Kavaru
V Illom
(1) I, III, and V
(2) II, IV and V
(3) I and II
(4) All of the above

Ans :

(4) All of the above
Explanation: Section 30 of the Hindu Succession Act, 1956, grants a Hindu the power to dispose of their interest in a Mitakshara coparcenary property by will. The explanation to this section clarifies that this power extends to the interest of a member of a Tarwad, Tavazhi, Illom, Kutumba, or Kavaru, which are forms of joint families prevalent in certain parts of India.

88. The maximum limit of the members of the state bar council:
(1) 15
(2) 20
(3) 25
(4) None

Ans :

(3) 25
Explanation: Section 3(2) of the Advocates Act, 1961, specifies the composition of State Bar Councils. It states that for states with an electorate exceeding ten thousand advocates, the number of members of the Bar Council shall be twenty-five. For other states, different limits are set, but 25 is the maximum specified for larger states.

89. Specific Relief Act 1963 contains -
(1) 6 chapters and 40 Sections
(2) 7 chapters and 42 Sections
(3) 8 chapters and 43 Sections
(4) 8 chapters and 44 Sections

Ans :

(4) 8 chapters and 44 Sections
Explanation: The Specific Relief Act, 1963, as it was originally enacted, consisted of three parts, eight chapters, and a total of 44 sections. This structure provides a comprehensive framework for various types of specific reliefs that can be granted by the courts in civil matters to enforce individual rights.

90. The phrase "file a PIL, ostensibly in public interest but, in fact, to serve personal or private interests" means
(1) filing PIL for protection of only public interest
(2) filing PIL for protection of both public and private interest
(3) filing PIL for protection of only private interest
(4) filing PIL alleging it to be in public interest but actually seeking protection of private interest

Ans :

(4) filing PIL alleging it to be in public interest but actually seeking protection of private interest
Explanation: This phrase describes the misuse of Public Interest Litigation (PIL). It refers to a situation where a petitioner presents a case as being for the public good, but their true, underlying motive is to advance a personal or private agenda. The courts strongly deprecate such a practice, which is often termed "private interest litigation."

91. Filing of frivolous PILs results in -
(1) increasing backlog of cases
(2) wastage of resources
(3) lesser availability of time for hearing other genuine cases
(4) All of the above

Ans :

(4) All of the above
Explanation: The filing of frivolous Public Interest Litigations (PILs) has several detrimental effects on the judicial system. It consumes the court's valuable time, which could be used for genuine cases, thus increasing the backlog. It also leads to a wastage of judicial and administrative resources, hindering the efficiency of the justice delivery system.

92. Z, under the influence of madness, attempts to kill X. Is Z guilty of an offence. Has X the same right of private defence which he would have if Z were sane?
(1) Z has not committed any offence as per

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section 98 of IPC and same right of private. defence to X if Z is mad
(2) As per Section 98 of IPC, X has committed an offence and no right of private defence to X
(3) Z has committed an offence for not using his mind
(4) None of the above

Ans :

(1) Z has not committed any offence as per section 98 of IPC and same right of private. defence to X if Z is mad
Explanation: Due to madness, Z is not guilty of an offense (Section 84, IPC). However, Section 98 of the IPC clarifies that the right of private defense exists against an act that would be an offense but for reasons like unsoundness of mind. Therefore, X has the same right of private defense against the mad Z as he would against a sane person.

93. Protection against arrest and detention in certain cases is mentioned in which of the following Articles of Indian Constitution?
(1) Article 21
(2) Article 21A
(3) Article 22
(4) Article 22A

Ans :

(3) Article 22
Explanation: Article 22 of the Constitution of India provides specific safeguards for persons who are arrested or detained. These protections include the right to be informed of the grounds of arrest, the right to consult a legal practitioner, and the right to be produced before a magistrate within 24 hours of arrest.

94. Article 300A of Indian Constitution i.e. Right to property has been inserted in the Constitution by .....
(1) 44th Amendment Act
(2) 42nd Amendment Act
(3) 40th Amendment Act
(4) 51st Amendment Act

Ans :

(1) 44th Amendment Act
Explanation: The Right to Property was removed as a Fundamental Right and re-inserted as a constitutional right under Article 300A. This change was brought about by the Constitution (44th Amendment) Act, 1978. It states that no person shall be deprived of his property save by authority of law.

95. Which of the following sections of the Muslim Personal Law (Shariat) Application Act, 1937 have been repealed/ amended by section 6 of the Dissolution of Muslim Marriage Act, 1939?
(1) Section 4
(2) Section 5
(3) Section 6
(4) Section 7

Ans :

(2) Section 5
Explanation: Section 6 of the Dissolution of Muslim Marriage Act, 1939, explicitly repeals Section 5 of the Muslim Personal Law (Shariat) Application Act, 1937. Section 5 of the 1937 Act had previously given Muslim women limited grounds for divorce, which were significantly expanded and clarified by the 1939 Act.

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96. As per section 53 of IPC, the word "injury" denotes any harm whatever illegally caused to any person's
(1) Body
(2) Mind
(3) Reputation
(4) All above

Ans :

(4) All above
Explanation: The question seems to have a typo and likely refers to Section 44 of the IPC, which defines "injury". Section 44 states that "injury" denotes any harm whatever illegally caused to any person, in body, mind, reputation, or property. Section 53 deals with punishments, not the definition of injury.

97. Which of the following cases can be cured under section 465 of the code of criminal procedure, 1973?
(1) Entertaining of complaint without complying with section 195 and 340 of the Cr.P.C
(2) The reading and recording of the evidence taken in one case into another companion case

(3) The examination of witness in absence of the accused
(4) Non-Compliance with 235 (2)

Ans :

(2) The reading and recording of the evidence taken in one case into another companion case
Explanation: Section 465 of the CrPC deals with irregularities that do not vitiate proceedings unless they have caused a failure of justice. The reading of evidence from one case into another is a procedural irregularity. If it doesn't prejudice the accused or cause a failure of justice, it can be cured under this section, unlike more fundamental errors.

98. Which of the following statements hold true for de nova trials?
(1) Omission or illegality in the procedure even if it does not affect the core of the case can become a ground for calling de nova trials
(2) A de nova trial should be the last resort
(3) the court originally trying the case can order de nova trial
(4) None of these

Ans :

(2) A de nova trial should be the last resort
Explanation: A de novo trial, meaning a new trial, is an extraordinary measure. Courts have consistently held that it should be ordered only in exceptional circumstances as a last resort, where a serious irregularity or miscarriage of justice has occurred that cannot be corrected otherwise. It is not ordered for minor procedural omissions.

99. In case of land acquisition by the Central Government for public-private partnership projects, consent of how many affected families is mandated by the LARR Act?
(1) 60%
(2) 70%
(3) 80%
(4) 90%

Ans :

(2) 70%
Explanation: The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (LARR) Act, 2013, sets out consent requirements. For land acquisition for Public-Private Partnership (PPP) projects, Section 2(2)(b) mandates the prior consent of at least seventy per cent of the affected families.

100. A company which is not a domestic company will pay income tax at the rate of:-
(1) 25%
(2) 30%
(3) 40%
(4) 20%

Ans :

(3) 40%
Explanation: Under the Indian Income Tax Act, foreign companies (companies that are not domestic companies) are taxed at a different rate than domestic companies. For the relevant assessment year, the income tax rate applicable to a foreign company on its total income was 40%, plus applicable surcharge and cess.

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ALL INDIA BAR EXAMINATION XV

1. Section 66-A of Information Technology Act was held unconstitutional in the case of
(1) Justice K. S. Putta swamy Vs Union of India
(2) MP Sharma Vs Satish Chandra
(3) Shreya Singhal Vs Union Of India
(4) Gagan Harsh Sharma Vs The State of Maharashtra

Ans :

(3) Shreya Singhal Vs Union Of India
Explanation: In the landmark case of Shreya Singhal v. Union of India, the Supreme Court of India struck down Section 66A of the Information Technology Act, 2000. The court found the provision to be unconstitutionally vague and a direct violation of the freedom of speech and expression guaranteed under Article 19(1)(a) of the Constitution.

2. A Teacher is not a workman within the purview of Industrial Disputes Act, held in the case of
(1) The Workmen Vs Greaves Cotton & Co. Ltd. & Ors
(2) John Joseph Khokar Vs Bhadange B. S. & ors
(3) A. Sundarambal Vs Government of Goa
(4) Dinesh Sharma and Ors. Vs State of Bihar

Ans :

(3) A. Sundarambal Vs Government of Goa
Explanation: In the case of A. Sundarambal v. Government of Goa, the Supreme Court held that teachers are not considered "workmen" under the Industrial Disputes Act, 1947. The court reasoned that the noble profession of teaching involves imparting education and is not manual, skilled, unskilled, technical, operational, or clerical work as defined in the Act.

3. According to Factories Act "child" means
(1) a person who has not completed his fifteenth year of age;
(2) "child" means a person who has not completed his fourteenth year of age
(3) "child" means a person who has not completed his eighteenth year of age
(4) "child" means a person who has not completed his sixteenth year of age

Ans :

(1) a person who has not completed his fifteenth year of age;
Explanation: Section 2(c) of the Factories Act, 1948, provides the legal definition of a "child." It explicitly states that a child is a person who has not yet completed their fifteenth year of age. This definition is crucial as the Act places strict prohibitions and regulations on the employment of young individuals in factories.

4. This UNCITRAL Model Law and Rules do not become part of the Arbitration Act so as to become an aid to construe the provisions of the Act. held in the case of
(1) Union of India Vs East Coast Boat Builders and Engineers Ltd.,
(2) Union of India Vs M.C. Mehta
(3) Tata Press Ltd Vs Union of India
(4) Union of India Vs Indian Change Chrome Ltd

Ans :

(1) Union of India Vs East Coast Boat Builders and Engineers Ltd.,
Explanation: In Union of India v. East Coast Boat Builders & Engineers Ltd., the Supreme Court held that the UNCITRAL Model Law is not automatically part of the Indian Arbitration and Conciliation Act, 1996. While the Act is based on the Model Law, the latter cannot be used to interpret the Act's provisions unless the language of the Act is ambiguous.

5. According to Section 7(4) of the Arbitration and Conciliation Act, an arbitration agreement is in writing if it is contained in-
(1) a document signed by the parties;
(2) an exchange of letters, telex, telegrams or

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other means of telecommunication which provide a record of the agreement;
(3) an exchange of statements of claim and defence in which the existence of the agreement is alleged by one party and not denied by the other.
(4) All of the above

Ans :

(4) All of the above
Explanation: Section 7(4) of the Arbitration and Conciliation Act, 1996, provides an inclusive definition of what constitutes an arbitration agreement "in writing." It covers not only a single document signed by both parties but also records of agreement in various forms of communication and exchanges in legal pleadings where the agreement's existence is asserted and not denied.

6. Waiver of right to object deviance from arbitration agreement is mentioned under- of the Arbitration and Conciliation Act
(1) Section 7
(2) Section 4
(3) Section 20
(4) Section 22

Ans :

(2) Section 4
Explanation: Section 4 of the Arbitration and Conciliation Act, 1996, deals with the waiver of the right to object. It states that a party who knows of any non-compliance with a non-mandatory provision of the Act or the arbitration agreement, yet proceeds with the arbitration without stating their objection, is deemed to have waived their right to object.

7. A intentionally and falsely leads B to believe that certain land belongs to A, and thereby induces B to buy and pay for it. The land afterwards becomes the property of A, and A seeks to set aside the sale on the ground that, at the time of the sale, he had no title. H1e will not be allowed to prove his want of title.. Which Section of the Evidence Act is applicab2le?
(1) Section 92
(2) Section 124
(3) Section 115
(4) Section 101

Ans :

(3) Section 115
Explanation: This scenario is a classic example of the doctrine of estoppel, which is enshrined in Section 115 of the Indian Evidence Act, 1872. A, by his false representation, caused B to act upon it. Therefore, A is now "estopped" or prevented from denying the truth of his earlier statement to B's detriment.

8. The Arbitration Act 1996 repeals
(1) The Arbitration Act, 1940,
(2) The Arbitration (Protocol and Convention) Act, 1937
(3) the Foreign Awards (Recognition and Enforcement) Act, 1961.
(4) All of the above

Ans :

(4) All of the above
Explanation: Section 85 of the Arbitration and Conciliation Act, 1996, explicitly repeals three prior statutes. These are the Arbitration Act, 1940 (which governed domestic arbitration), the Arbitration (Protocol and Convention) Act, 1937, and the Foreign Awards (Recognition and Enforcement) Act, 1961. The 1996 Act consolidated and reformed the law.

9. Section 265A to 265L, Chapter XXIA of the Criminal Procedure Code deals with the concept of
(1) Unlawful Assembly
(2) Arrest without warrant
(3) search and seizures
(4) Plea bargaining

Ans :

(4) Plea bargaining
Explanation: Chapter XXIA, containing Sections 265A to 265L, was inserted into the Code of Criminal Procedure, 1973, to introduce the concept of plea bargaining in India. This chapter outlines the procedure where an accused person can negotiate with the prosecution for a lesser sentence in exchange for pleading guilty to the offense charged.

10. Security for good behaviour from habitual offenders is dealt under
(1) Section 109 of Cr.P.C.
(2) Section 110 of Cr.P.C

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(3) Section 111 of Cr.P.C.
(4) None of the above

Ans :

(2) Section 110 of Cr.P.C
Explanation: Section 110 of the Code of Criminal Procedure, 1973, empowers an Executive Magistrate to demand security for good behaviour from persons who are habitual offenders. This includes those who are by habit robbers, house-breakers, thieves, or are so desperate and dangerous as to render their being at large without security hazardous to the community.

11. X,Y, Z jointly promise to pay A an amount of Rs. 50,000/- Subsequently X,Y became untraceable. Can A compel Z to pay?
(1) A can, under Section 43 para 1
(2) A can under Section 49 para 1
(3) A cannot and will have to wait till X,Y become traceable
(4) Z can be compelled only for one third

Ans :

(1) A can, under Section 43 para 1
Explanation: Section 43 of the Indian Contract Act, 1872, states that when two or more persons make a joint promise, the promisee may compel any one or more of such joint promisors to perform the whole of the promise. Thus, A can compel Z to pay the full amount, and Z can later claim contribution from X and Y.

12. Delivery of goods by one person to another for some purpose upon a contract that they shall, when the purpose is accomplished, be returned or disposed of according to the directions of the person delivering them. This process is termed as
(1) Agency
(2) Bailment
(3) Guarantee
(4) Contingency

Ans :

(2) Bailment
Explanation: This is the precise definition of "Bailment" as provided in Section 148 of the Indian Contract Act, 1872. It involves the transfer of possession of goods from one person (the bailor) to another (the bailee) for a specific purpose, with the understanding that the goods will be returned upon completion of that purpose.

13. Section 14A inserted by THE SPECIFIC RELIEF (AMENDMENT) ACT, 2018, relates to
(1) Power of the Courts to engage experts
(2) Establishment of Special Court
(3) Expeditious disposal of case
(4) Specific performance with regard to contracts

Ans :

(1) Power of the Courts to engage experts
Explanation: Section 14A was introduced into the Specific Relief Act by the 2018 amendment. This section grants the court the power to engage one or more experts in a suit. The court can direct any person with expert opinion on a specific issue to assist it by providing evidence, including a report on the matter.

14. Parliament may by law establish Administrative Tribunals under of the Constitution
(1) Article 323B
(2) Article 323A
(3) Article 233
(4) Article 323

Ans :

(2) Article 323A
Explanation: Article 323A of the Constitution of India explicitly empowers the Parliament to, by law, provide for the adjudication of disputes relating to recruitment and conditions of service of persons appointed to public services. It specifically authorizes the establishment of administrative tribunals for the Union and for each State.

15. The Bar Council of India has to lay down the standards of professional conduct and etiquette for the Advocates under
(1) Section 3 of the Advocate Act, 1961
(2) Section 7 (1) (b) of the Advocate Act, 1961
(3) Section 17 of the Advocate Act, 1961
(4) Section 18 of the Advocate Act, 1961

Ans :

(2) Section 7 (1) (b) of the Advocate Act, 1961
Explanation: Section 7(1)(b) of the Advocates Act, 1961, lists the functions of the Bar Council

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of India. One of its primary statutory functions is to lay down standards of professional conduct and etiquette for advocates. These standards are crucial for maintaining the dignity and integrity of the legal profession in India.

16. According to Section 49 of the Advocate Act of 1961 the bar Council of India has power to make rules
(1) qualifications for membership of a Bar Council and the disqualifications for such membership
(2) the class or category of persons entitled to be enrolled as advocates
(3) the standards of legal education to be observed by universities in India and the inspection of universities for that purpose.
(4) All of the above

Ans :

(4) All of the above
Explanation: Section 49 of the Advocates Act, 1961, grants the Bar Council of India broad powers to make rules for discharging its functions under the Act. This includes setting standards for legal education, determining who is entitled to be enrolled, and specifying the qualifications and disqualifications for membership of a Bar Council, among many other things.

17. Requisites of a valid adoption: no adoption shall be valid unless- (i) the person adopting has the capacity, and also the right, to take in adoption; (ii) the person giving in adoption has the capacity to do so; (iii) the person adopted is capable of being taken in adoption; and (iv) the adoption is made in compliance with the other conditions mentioned in this Chapter. mentioned under
(1) Section 6 of Hindu Adoptions and Maintenance Act
(2) Section 8 of Hindu Adoptions and Maintenance Act
(3) Section 12 of Hindu Adoptions and Maintenance Act
(4) Section 10 of Hindu Adoptions and Maintenance Act

Ans :

(1) Section 6 of Hindu Adoptions and Maintenance Act
Explanation: The text in the question is a direct reproduction of Section 6 of the Hindu Adoptions and Maintenance Act, 1956. This section lays down the four fundamental and mandatory conditions that must be fulfilled for an adoption to be considered legally valid under the Act.

18. According to the Muslim women (protection of rights on marriage) act, 2019, any pronouncement of talaq as defined under the Act by a Muslim husband upon his wife, by words, either spoken or written or in electronic form or in any other manner whatsoever, shall be
(1) Void
(2) Cognizable
(3) compoundable
(4) All of the above

Ans :

(1) Void
Explanation: Section 3 of the Muslim Women (Protection of Rights on Marriage) Act, 2019, explicitly declares that any pronouncement of talaq-e-biddat (instant triple talaq) by a Muslim husband upon his wife shall be void and illegal. While the act is also a cognizable offence, its primary legal effect on the marriage is that it is void.

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19. The Hindu Succession (Amendment) Act (HSAA) 2005 provides for women:
(1) coparcenary rights at par with men;
(2) inheritance rights in agricultural land from her parents at par with her brothers;
(3) inheritance of the self-acquired agricultural land of her deceased husband
(4) All of the above

Ans :

(1) coparcenary rights at par with men;
Explanation: The most significant change brought by the Hindu Succession (Amendment) Act, 2005, was the grant of coparcenary rights to daughters by birth in a Hindu Undivided Family, making them equal to sons. This gave daughters an equal share in the ancestral property, a right previously reserved only for male descendants.

20. Section 25 of the Hindu Marriage Act provides for
(1) Custody of the Children
(2) Permanent alimony and maintenance

(3) Maintenance Pendente lite
(4) Division of matrimonial property

Ans :

(2) Permanent alimony and maintenance
Explanation: Section 25 of the Hindu Marriage Act, 1955, empowers the court, at the time of passing any decree or at any time subsequent thereto, to order one spouse to pay the other a gross sum or a monthly or periodical sum for their maintenance and support. This is known as permanent alimony and maintenance.

21. A Hindu wife had been living with her children and all the children had been brought up by her without any assistance and help from the husband many years. The wife was entitled to separate residence and maintenance under
(1) Section 18 (2) (f) of Hindu Adoptions and Maintenance Act
(2) Section 18 (2) (d) of Hindu Adoptions and Maintenance Act
(3) Section 18 (2) (a) of Hindu Adoptions and Maintenance Act
(4) Section 18 (2) (g) of Hindu Adoptions and Maintenance Act

Ans :

(3) Section 18 (2) (a) of Hindu Adoptions and Maintenance Act
Explanation: Section 18(2)(a) of the Hindu Adoptions and Maintenance Act, 1956, allows a Hindu wife to live separately from her husband without forfeiting her claim to maintenance if he is guilty of desertion. The husband's long absence and failure to provide support for his wife and children constitute desertion under this provision.

22. Imposition of compensatory costs in respect of false or vexatious claims or defences is dealt under
(1) Section 33 of CPC
(2) Section 35A of CPC
(3) Section 30 of CPC
(4) Section 35 of CPC

Ans :

(2) Section 35A of CPC
Explanation: Section 35A of the Code of Civil Procedure, 1908, specifically deals with compensatory costs for false or vexatious claims or defenses. If a court finds that a claim or defense was made on grounds known to be false or vexatious, it can order the party responsible to pay costs to compensate the other party.

23. Which provision under the Code of Civil Procedure deals with substituted service of summons upon the defendant
(1) Order 5 Rule 19A
(2) Order 5 Rule 19
(3) Order 5 Rule 20
(4) Order 5 Rule 21

Ans :

(3) Order 5 Rule 20
Explanation: Order 5, Rule 20 of the Code of Civil Procedure, 1908, lays down the procedure for "Substituted Service." It allows the court to order service by affixing a copy of the summons in the courthouse and at the defendant's last known residence, or by advertisement in a newspaper, when the defendant is avoiding service.

24. The question is, whether A owes B rupees 10,000. Which of the following statements are relevant under Evidence Act;
(1) The facts that A asked C to lend him money,
(2) D said to C in A's presence and hearing "I advise you not to trust A, for he owes B 10,000 rupees,"
(3) A went away without making any answer
(4) All of the above

Ans :

(4) All of the above
Explanation: Under the Indian Evidence Act, all these facts are relevant. A asking for a loan (Section 11), the statement made in A's presence (Section 8, as conduct), and A's silence in response to that statement (Section 8, as conduct influenced by a statement) are all circumstances from which the court can draw an inference regarding the main fact in issue.

25. So much of such information, whether it amounts to a confession or not, as relates distinctly to the fact thereby discovered by the police may be proved under
(1) Section 25 of the Evidence Act
(2) Section 26 of the Evidence Act
(3) Section 27 of the Evidence Act

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(4) Section 29 of the Evidence Act

Ans :

(3) Section 27 of the Evidence Act
Explanation: Section 27 of the Indian Evidence Act, 1872, is an exception to the rule that confessions made to a police officer are inadmissible. It allows the admission of that part of a statement (even if confessional) made by an accused in police custody which leads to the discovery of a new fact.

26. When the Court has to form an opinion upon a point of foreign law or of science, or art, or as to identity of handwriting, or finger impressions, the opinions upon that point of persons specially skilled in such foreign law, science or art, or in questions as to identity of handwriting or finger impressions are relevant facts. this is under of the Evidence Act
(1) Section 42
(2) Section 45
(3) Section 50
(4) Section 55

Ans :

(2) Section 45
Explanation: The text provided in the question is a near-verbatim reproduction of Section 45 of the Indian Evidence Act, 1872. This section deals with the opinions of experts. It makes the opinions of persons specially skilled in fields like foreign law, science, art, or handwriting analysis relevant when the court needs to form an opinion on such matters.

27. According to Environmental Protection Act, 1986, 'environmental pollutant' means
(1) any solid, liquid or gaseous substance present in such concentration as may be, or tend to be, helpful to environment
(2) only gaseous substance present in such concentration as may be, or tend to be, injurious to environment
(3) any solid, liquid or gaseous substance present in such concentration as may be, or tend to be, injurious to environment
(4) any solid, liquid present in such concentration as may be, or tend to be, injurious to environment

Ans :

(3) any solid, liquid or gaseous substance present in such concentration as may be, or tend to be, injurious to environment
Explanation: Section 2(b) of the Environment (Protection) Act, 1986, defines an "environmental pollutant." The definition is broad, encompassing any solid, liquid, or gaseous substance whose concentration is, or has the potential to be, injurious to the environment. This comprehensive definition is key to the Act's regulatory scope.

28. National Green Tribunal cannot exercise its Jurisdiction with reference to
(1) Wildlife (Protection) Act, 1972
(2) Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006
(3) The Public Liability Insurance Act, 1991
(4) both A & B

Ans :

(4) both A & B
Explanation: The jurisdiction of the National Green Tribunal (NGT) is specified in Schedule I of the NGT Act, 2010. This schedule lists the environmental laws under which the tribunal can hear cases. Notably, the Wildlife (Protection) Act, 1972, and the Scheduled Tribes (Recognition of Forest Rights) Act, 2006, are excluded from this list and thus fall outside the NGT's direct jurisdiction.

29. An attempt to acquire sensitive information such as usernames, passwords, and credit card details (and sometimes, indirectly, money) by masquerading as a trustworthy entity in an electronic communication - is known as
(1) Pharming
(2) Smishing
(3) Phishing
(4) Didling

Ans :

(3) Phishing
Explanation: Phishing is a type of social engineering attack used to steal user data. It involves attackers disguising themselves as a reputable entity in an email or other communication to trick a victim into revealing sensitive information like passwords and

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credit card numbers. It is a common form of cybercrime.

30. The Plea Bargaining is applicable only in respect of those offences for which punishment of imprisonment is up to a period of
(1) 7 years.
(2) 10 years
(3) 11 years
(4) 14 years

Ans :

(1) 7 years.
Explanation: The provisions for plea bargaining, found in Chapter XXIA of the CrPC, are not available for all offences. Section 265A specifies that it applies to cases where the offence is not punishable with death, life imprisonment, or imprisonment for a term exceeding seven years.

31. "From a plain reading of Section 195 Cr.P.C. it is manifest that it comes into operation at the stage when the Court intends to take cognizance of an offence under Section 190(1) Cr PC.; and it has nothing to do with the statutory power of the police to investigate into an F.I.R. which discloses a cognizable offence.... In other words, the statutory power of the Police to investigate under the Code is not in any way controlled or circumscribed by Section 195 Cr.P.C." This was held by the Supreme Court in the case of
(1) Nalini Vs State of Tamilnadu
(2) Raj Singh Vs State (1998)
(3) Shamsher Singh Vs State of Punjab
(4) State of Himachal Pradesh Vs Tara Dutta

Ans :

(2) Raj Singh Vs State (1998)
Explanation: In the case of Raj Singh v. State, the Supreme Court clarified the scope of Section 195 of the CrPC. The court made this important distinction, holding that the bar on cognizance under Section 195 does not inhibit the police's statutory power to investigate a cognizable offence based on an FIR.

32. Indemnity contract is defined under
(1) Section 124 of the Indian Contract Act
(2) Section 67 of the Indian Contract Act
(3) Section 127 of the Indian Contract Act
(4) Section 128 of the Indian Contract Act

Ans :

(1) Section 124 of the Indian Contract Act
Explanation: Section 124 of the Indian Contract Act, 1872, provides the definition of a "contract of indemnity." It defines it as a contract by which one party promises to save the other from loss caused to him by the conduct of the promisor himself, or by the conduct of any other person.

33. Peek Vs. Gurney is a famous case related to
(1) Coercion
(2) Fraud
(3) Mistake of fact
(4) Mistake of law

Ans :

(2) Fraud
Explanation: Peek v. Gurney is a landmark English case on the tort of deceit and misrepresentation. The case established the principle that a false statement in a company's prospectus can only be the basis of an action for fraud if it was intended for and acted upon by the person who was deceived, limiting liability to the initial subscribers.

34. Which provision under Criminal procedure Code, 1973 deals with the procedure to be adopted by the Magistrate to record confessions and statements?
(1) Section 162
(2) Section 164
(3) Section 163A
(4) Section 165

Ans :

(2) Section 164
Explanation: Section 164 of the Code of Criminal Procedure, 1973, lays down the detailed procedure for the recording of confessions and statements by a Metropolitan or Judicial Magistrate. This section includes crucial safeguards, such as informing the accused that they are not bound to confess, to ensure the voluntariness of the statement.

35. Attachment of property of person absconding can be done under Section ..... of Cr.P.C.
(1) 83
(2) 82
(3) 85
(4) 86

Ans :

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(1) 83
Explanation: Section 83 of the Code of Criminal Procedure, 1973, empowers a court that has issued a proclamation under Section 82 to order the attachment of any property, movable or immovable, belonging to the proclaimed person. This is a measure to compel the appearance of an absconding accused.

36. Magistrate may dispense with personal attendance of accused under Section ..... of Cr.P.C
(1) 201
(2) 204
(3) 205
(4) 200

Ans :

(3) 205
Explanation: Section 205 of the Code of Criminal Procedure, 1973, gives a Magistrate the discretion to dispense with the personal attendance of an accused person. When a summons is issued, the Magistrate can permit the accused to appear through their pleader, especially if there is sufficient reason to do so.

37. The Supreme Court invoked the principle of Transformative Constitutionalism' in the case of
(1) Navtej Singh Johar Vs Union of India (2018)
(2) Suresh Kumar Koushal Vs Naz Foundation (2010)
(3) Naz Foundation Vs Government of NCT of Delhi, (2009)
(4) Aruna Roy Vs Union of India, (2002)

Ans :

(1) Navtej Singh Johar Vs Union of India (2018)
Explanation: In the landmark judgment of Navtej Singh Johar v. Union of India, the Supreme Court explicitly invoked the principle of transformative constitutionalism. It held that the Constitution is a living document whose interpretation must evolve to meet the changing needs of society and to progressively realize the rights and dignities of all individuals.

38. The provisions of Indian Penal Code apply also to any offence committed by
(1) any citizen of India in any place without and beyond India;
(2) any person on any ship or aircraft registered in India wherever it may be
(3) any person in any place without and beyond India committing offence targeting a computer resource located in India.
(4) All of the above

Ans :

(4) All of the above
Explanation: Section 4 of the Indian Penal Code provides for its extra-territorial jurisdiction. It covers offences committed by Indian citizens outside India, offences committed by any person on ships or aircraft registered in India, and, through an amendment, offences targeting a computer resource located in India, regardless of the offender's location.

39. Section 105 (H) of Cr.P.C deals
(1) Forfeiture of property in certain cases.
(2) Notice of forfeiture of property
(3) Management of properties seized or forfeited
(4) Identifying unlawfully acquired property

Ans :

(The PDF has the answer as 1, but the text for option 1 is a duplicate of the question's text. Option 4 seems more appropriate. There might be a typo in the paper). Let's assume the question text is the title and option (1) is the correct content. I'll correct the option text slightly to make it an answer.
Explanation: Section 105-H of the Code of Criminal Procedure, 1973, outlines the procedure for the forfeiture of property to the Central Government in certain specified cases, typically related to proceeds of crime. This provision is part of a chapter dealing with reciprocal arrangements for assistance in certain matters and procedure for attachment and forfeiture of property. The correct option is "Forfeiture of property to Central Government in certain cases". Let me check this. The section is 105H. The heading is "Forfeiture of property to Central Government in certain cases". So option 1 is correct. But the text is the same. Let's go with the answer key.

Ans :

(1) Forfeiture of property in certain cases.

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Explanation: Section 105-H of the Code of Criminal Procedure, 1973, lays down the provisions for the forfeiture of property to the Central Government. This action can be taken against property that has been identified as unlawfully acquired or constitutes proceeds of crime under this chapter, following the prescribed legal process and after giving an opportunity to be heard.

40. Bar to taking cognizance after lapse of the period of limitation is dealt under
(1) Section 178 of Cr. P.C.
(2) Section 469 of Cr. P.C.
(3) Section 478 of Cr. P.C.
(4) Section 468 of Cr. P.C.

Ans :

The answer key in the PDF says [4], but the text is "Section 168". The correct section is 468. There's a typo. I'll use the correct section number.

Ans :

(4) Section 468 of Cr. P.C.
Explanation: Section 468 of the Code of Criminal Procedure, 1973, imposes a bar on taking cognizance of an offence after the expiry of a prescribed period of limitation. The limitation period varies from six months to three years, depending on the maximum punishment provided for the offence, aiming to ensure timely prosecution.

41. "decree-holder" means
(1) any person in whose favour a decree has been passed or an order capable of execution has been made
(2) any person in whose favour a decree has been passed or an order incapable of execution has been made
(3) any Citizen in whose favour a decree has been passed or an order capable of execution has. been made
(4) any corporation in whose favour a decree has been passed or an order capable of execution has been made

Ans :

(1) any person in whose favour a decree has been passed or an order capable of execution has been made
Explanation: This is the precise definition of "decree-holder" as provided in Section 2(3) of the Code of Civil Procedure, 1908. The term is broad and includes any "person," which can be a natural individual, a citizen, or a legal entity like a corporation, in whose favor a decree or an executable order has been passed.

42. Under the Patent Act which of the following are not patentable?
(1) a method of agriculture horticulture
(2) a presentation of information
(3) topography of integrated circuits
(4) All of the above

Ans :

(4) All of the above
Explanation: Section 3 of the Indian Patents Act, 1970, lists inventions that are not patentable. This includes methods of agriculture or horticulture, the mere presentation of information, and the topography of integrated circuits. These are considered non-patentable subject matter, falling outside the scope of what constitutes a patentable invention.

43. World Intellectual Property Organization (WIPO) has replaced pre- existing
(1) GATT
(2) BIRPI
(3) TPRM
(4) PCT

Ans :

(2) BIRPI
Explanation: The World Intellectual Property Organization (WIPO) was formally created by a convention signed in 1967. It succeeded the United International Bureaux for the Protection of Intellectual Property, commonly known as BIRPI, which had been administering the Berne and Paris Conventions for the protection of literary, artistic, and industrial property since the late 19th century.

44. Anuradha Bhasin Vs Union of India on 10 January, 2020 relates to a challenge under Article 32 of the Constitution seeking issuance of an appropriate writ
(1) for setting aside orders of the Government by which all modes of communication including Internet have been shut down in

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J&K
(2) for setting aside orders of the Government by which private property was sought to be acquired in J&K
(3) for setting aside orders of the Government by which J&K was constituted as a UT
(4) for setting aside orders of the Government by which Ladakh was separated.

Ans :

(1) for setting aside orders of the Government by which all modes of communication including Internet have been shut down in J&K
Explanation: In Anuradha Bhasin v. Union of India, the Supreme Court addressed the indefinite internet shutdown and movement restrictions in Jammu & Kashmir. The Court held that freedom of speech and expression and the freedom to practice any profession over the internet are constitutionally protected rights and that such restrictions must satisfy the test of proportionality.

45. Section 66A of the Information Technology Act was struck down under Art. 19(1) (a) read with Article 19 (2) in the case of
(1) Justice K. S. Puttaswamy Vs Union of India
(2) Kharak singh Vs State of U.P.
(3) Govinda Vs State of M.P.
(4) Shreya Singhal Vs Union of India

Ans :

(4) Shreya Singhal Vs Union of India
Explanation: In the landmark case of Shreya Singhal v. Union of India, the Supreme Court of India declared Section 66A of the Information Technology Act unconstitutional. The Court found it violated the freedom of speech and expression under Article 19(1)(a) and was not saved by the reasonable restrictions under Article 19(2) due to its vagueness.

46. Article 145(3) of the Indian Constitution states that The minimum number of Judges who are to sit for the purpose of deciding any case involving a substantial question of law as to the interpretation of this Constitution or for the purpose of hearing any reference under Article 143 shall be....
(1) Two
(2) Three
(3) Five
(4) Nine

Ans :

(3) Five
Explanation: Article 145(3) of the Constitution of India mandates that a bench consisting of a minimum of five judges must be constituted to decide any case involving a substantial question of law regarding the interpretation of the Constitution. This is also applicable for hearing a Presidential reference under Article 143. Such a bench is known as a Constitution Bench.

47. The utility of Public Interest Litigation
(1) Liberalised locus standi
(2) The proceedings are non-Adversarial
(3) Procedural requirements are liberalized
(4) All of the above

Ans :

(4) All of the above
Explanation: Public Interest Litigation (PIL) has several unique features that enhance its utility. The doctrine of locus standi is relaxed, allowing any public-spirited person to file a petition. The proceedings are inquisitorial rather than strictly adversarial, and procedural rules are often liberalized to ensure that substantive justice is prioritized over technicalities.

48. The petitioner, a professor of political science who had done substantial research and deeply interested in ensuring proper implementation of the constitutional provisions, challenged the practice followed by the state of Bihar in repromulgating a number of ordinances without getting the approval of the legislature. The court held that the petitioner as a member of public has 'sufficient interest' to maintain a petition under Article 32- This relates to the case of
(1) Parmanand Katara Vs Union of India AIR
(2) D.C.Wadhwa Vs State of Bihar, AIR 1987 SC 579
(3) Neeraja Choudhari Vs State of Madhya Pradesh AIR 1984SC1099
(4) Chameli Singh Vs State of U.P. AIR 1996,SC1051

Ans :

(2) D.C.Wadhwa Vs State of Bihar, AIR 1987 SC 579

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Explanation: In D.C. Wadhwa v. State of Bihar, the Supreme Court addressed the misuse of ordinance-making power. It entertained the petition filed by a professor, thereby liberalizing the rule of locus standi, and held that the repeated re-promulgation of ordinances without placing them before the legislature was a fraud on the Constitution.

49. Where a legal wrong or a legal injury is caused to a person or to a determinate class of persons by reason of violation of any constitutional or legal right or any burden is imposed in contravention of any constitutional or legal provision or without authority of law or any such legal wrong or legal injury or illegal burden is threatened and such person or determinate class of persons by reasons of poverty, helplessness or disability or socially or economically disadvantaged position unable to approach the court for relief, any member of public can maintain an application for an appropriate direction, order or writ in the High Court under Article 226 and in case any breach of fundamental rights of such persons or determinate class of persons, in this court under Article 32 seeking judicial redress for the legal wrong or legal injury caused to such person or determinate class of persons." - Justice Bhagwati in the case of

(1) Peoples Union for Democratic Rights Vs Union of India
(2) Ashok Kumar Pandey Vs State of West Bengal
(3) S. P. Gupta Vs Union of India
(4) Janata Dal Vs H. S. Chowdhary

Ans :

(3) S. P. Gupta Vs Union of India
Explanation: This elaborate exposition on the liberalization of locus standi for Public Interest Litigation was given by Justice P.N. Bhagwati in the landmark case of S.P. Gupta v. Union of India. This judgment firmly established the principle that any member of the public can seek judicial redress for a legal wrong caused to persons unable to approach the court themselves.

50. The definition of 'money' under GST law does not include

(1) Letter of Credit
(2) Currency held for numismatic value
(3) Pay order
(4) Traveler cheque

Ans :

(2) Currency held for numismatic value
Explanation: Under the GST Act, the definition of "money" includes various instruments used as consideration. However, it explicitly excludes currency that is held for its numismatic value. Such currency is treated as goods rather than legal tender, and its supply would be subject to GST, unlike transactions in regular money.

51. Under Article 279A GST Council is constituted by

(1) Prime Minister and his Council of Ministers
(2) Respective Governors of the State
(3) The President
(4) A collective body of Union and States

Ans :

(3) The President
Explanation: Article 279A of the Constitution of India, which was inserted by the 101st Amendment Act, empowers the President to constitute the Goods and Services Tax (GST) Council. This council is a joint forum of the Centre and the States, chaired by the Union Finance Minister, to make recommendations on important issues related to GST.

52. The definition of Contract is defined under

(1) Section 2(a) of the Indian Contract Act.
(2) Section 2(h) of the Indian Contract Act.
(3) Section 2(d) of the Indian Contract Act.
(4) Section 2(g) of the Indian Contract Act.

Ans :

(2) Section 2(h) of the Indian Contract Act.
Explanation: Section 2(h) of the Indian Contract Act, 1872, provides the definition of a contract. It states that "An agreement enforceable by law is a contract." This concise definition encapsulates the two essential elements of a contract: there must be an agreement between parties, and that agreement must be legally enforceable.

53. Voluntarily throwing or attempting to throw acid is an offence punishable under

(1) Section 326 B of the Indian Penal Code
(2) Section 120 B of the Indian Penal Code
(3) Section 509 of the Indian Penal Code
(4) Section 295B of the Indian Penal Code

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Ans :

(1) Section 326 B of the Indian Penal Code
Explanation: Section 326B of the Indian Penal Code was introduced by the Criminal Law (Amendment) Act, 2013. It specifically criminalizes the act of voluntarily throwing or attempting to throw acid on any person with the intention of causing permanent or partial damage, disfigurement, or any other grievous hurt.

54. A is at work with a hatchet; the head flies off and kills a man who is standing by. Here, if there was no want of proper caution on the part of A, his act is
(1) An Offence of murder
(2) An offence of Culpable homicide
(3) Not an offence
(4) An Offence of causing grievous hurt

Ans :

(3) Not an offence
Explanation: This scenario is an illustration of the legal principle covered under Section 80 of the Indian Penal Code, which deals with accidents in doing a lawful act. Since A was doing a lawful act in a lawful manner with proper care and caution, and the death was an unfortunate accident without any criminal intent, it is not an offense.

55. A, with the intention of causing Z to be convicted of a criminal conspiracy, writes a letter in imitation of Z's handwriting, purporting to be addressed to an accomplice in such criminal conspiracy, and puts the letter in a place which he knows that the officers of the police are likely to search-A has committed an Offence under
(1) Section 256 of IPC
(2) Section 192 of IPC
(3) Section 195 A of IPC
(4) Section 201(a) of IPC

Ans :

(2) Section 192 of IPC
Explanation: A's actions fall under the definition of "fabricating false evidence" as provided in Section 192 of the Indian Penal Code. A has created a false circumstance (the letter) with the intention that it may appear in evidence in a judicial proceeding and cause a person to form an erroneous opinion touching on a material point.

56. India, that is Bharat, shall be a
(1) Federation of States
(2) quasi federal
(3) Union of states
(4) Unitary state of a special type

Ans :

(3) Union of states
Explanation: Article 1(1) of the Constitution of India explicitly states, "India, that is Bharat, shall be a Union of States." The term "Union" was deliberately chosen over "Federation" to signify that the Indian Union is not the result of an agreement among the states, and the states have no right to secede from it.

57. In M.C. Mehta Vs. Union of India, AIR 1987 SC1086 (Sri Ram Fertilizers case) the court held that
(1) In escape of toxic gas the enterprise is strictly and absolutely liable to compensate all those who are affected by the accident and such liability is not subject to any of the exceptions which operate vis-a-vis the tortious principle of strict liability.
(2) In escape of a dangerous animal the owner is strictly and absolutely liable to compensate all those who are affected by the accident and such liability is not subject to any of the exceptions which operate vis-a-vis the tortious principle of strict liability.
(3) In escape of toxic gas the enterprise is strictly liable to compensate all those who are affected by the accident and such liability is subject to any of the exceptions which operate vis-a-vis the tortious principle of strict liability
(4) A company or a corporation is not a state and hence not liable for leak of toxic gas affecting the health of the people

Ans :

(1) In escape of toxic gas the enterprise is strictly and absolutely liable to compensate all those who are affected by the accident and such liability is not subject to any of the exceptions which operate vis-a-vis the tortious principle of strict liability.

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Explanation: In the Oleum Gas Leak case (M.C. Mehta v. Union of India), the Supreme Court evolved the principle of "Absolute Liability." It held that an enterprise engaged in a hazardous activity owes an absolute duty to the community. If any harm results, the enterprise is liable to compensate, and this liability is not subject to any exceptions, unlike the rule of strict liability.

58. Under Section 70 of the Indian Contract Act, Where a person lawfully does anything for another person, or delivers anything to him, not intending to do so gratuitously, and such other person enjoys the benefit thereof, the latter is bound to make compensation to the former in respect of, or to restore, the thing so done or delivered. This principle is known as
(1) A Contract of Uberrimae fide
(2) Implied Agency
(3) Quantum meruit
(4) De nova contract

Ans :

(3) Quantum meruit
Explanation: This principle is based on the doctrine of quasi-contract or unjust enrichment, often referred to as Quantum Meruit ("as much as he has deserved"). Section 70 of the Contract Act embodies this principle, creating an obligation to pay for a non-gratuitous act that one has enjoyed the benefit of, preventing unjust enrichment.

59. Agreement is
(1) a promise or set of promises forming consideration to each other
(2) enforceable by law
(3) enforceable contract
(4) Un enforceable by law

Ans :

(1) a promise or set of promises forming consideration to each other
Explanation: Section 2(e) of the Indian Contract Act, 1872, defines an agreement as "Every promise and every set of promises, forming the consideration for each other, is an agreement." This forms the foundation of a contract, which is an agreement that is also enforceable by law.

60. Under the Land Acquisition Act, the expression "land" includes
(1) benefits to arise out of land
(2) things attached to the earth
(3) things permanently fastened to anything attached to the earth
(4) All of the above

Ans :

(4) All of the above
Explanation: The definition of "land" under the old Land Acquisition Act, 1894, was very broad. It included not just the physical soil but also benefits arising from the land (like rents or profits) and things that are attached to the earth or permanently fastened to anything so attached, such as buildings and trees.

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61. Temporary occupation of waste or arable land, procedure when difference as to compensation exists is provided under
(1) Section 32 of Land Acquisition Act
(2) Section 30 of Land Acquisition Act
(3) Section 35 of Land Acquisition Act
(4) Section 31 of Land Acquisition Act

Ans :

(3) Section 35 of Land Acquisition Act
Explanation: Section 35 of the now-repealed Land Acquisition Act, 1894, specifically dealt with the procedure for temporary occupation of waste or arable land. It outlined the process for the government to occupy such land for public purposes for a term not exceeding three years and the mechanism for determining compensation if a dispute arose.

62. Suits by indigent persons is dealt under
(1) Order 44 of C.P.C
(2) Order 33 of C.P.C
(3) Order 55 of C.P.C
(4) Order 22 of C.P.C

Ans :

(2) Order 33 of C.P.C
Explanation: Order 33 of the Code of Civil Procedure, 1908, contains the provisions relating to suits by indigent persons (formerly known as 'paupers'). It lays down the procedure for allowing a person who does not have sufficient means to pay court fees to file a suit without such payment.

63. Res gestae, Relevancy of facts forming part of same transaction is dealt under
(1) Section 6 of the Evidence Act
(2) Section 17 of the Evidence Act
(3) Section 18 of the Evidence Act
(4) Section 20 of the Evidence Act

Ans :

(1) Section 6 of the Evidence Act
Explanation: The doctrine of Res Gestae is embodied in Section 6 of the Indian Evidence Act, 1872. This principle states that facts which, though not in issue, are so connected with a fact in issue as to form part of the same transaction, are relevant, whether they occurred at the same time and place or at different times and places.

64. Among other things, the Function of Bar council of India includes laying down standards of professional conduct and etiquette for advocates. Under which section of the Advocates Act
(1) Section 7
(2) Section 8
(3) Section 9
(4) Section 6

Ans :

(1) Section 7
Explanation: Section 7 of the Advocates Act, 1961, enumerates the statutory functions of the Bar Council of India. Specifically, Section 7(1)(b) states that one of its primary functions is "to lay down standards of professional conduct and etiquette for advocates," which is fundamental to regulating the legal profession.

65. According to Justice 'Abbot Parry' what are the "Seven Lamps of Advocacy".
(1) (i) Honesty (ii) Courage (iii) professionalism (iv) Wit (v) Eloquence, (vi) Judgment and (vii) Fellowship.
(2) (i) Honesty (ii) Courage (iii) Industry (iv) Wit (v) Eloquence, (vi) Judgment and (vii) Fellowship.
(3) (i) influence (ii) Courage (iii) Industry (iv) Wit (v) Eloquence, (vi) Judgment and (vii) Fellowship.
(4) (i) Honesty (ii) Courage (iii) Industry (iv) seriousness (v) Eloquence, (vi) Judgment and (vii) Fellowship.

Ans :

(2) (i) Honesty (ii) Courage (iii) Industry (iv) Wit (v) Eloquence, (vi) Judgment and (vii) Fellowship.
Explanation: In his book "The Seven Lamps of Advocacy," Judge Edward Abbott Parry identified the essential qualities of a good advocate. These are Honesty, Courage, Industry (hard work), Wit, Eloquence (art of speaking), Judgment, and Fellowship. These "lamps" are considered timeless guiding principles for legal professionals worldwide.

66. Minimum number of Directors in a Public company
(1) 3
(2) 10
(3) 12
(4) 5

Ans :

(1) 3
Explanation: According to Section 149(1)(a) of the Companies Act, 2013, every public company is required to have a minimum of three directors on its board. For a private company, the minimum is two directors, and for a one-person company, it is one director. These are the statutory minimum requirements.

67. An associate company, in relation to another company, means
(1) a company in which that other company has a significant influence, but which is a subsidiary company of the company having such influence and includes a joint venture company
(2) a company in which that other company has a significant influence, but which is not a subsidiary company of the company having such influence and includes a joint venture company
(3) a company in which that other company has a significant influence, but which is not a subsidiary company of the company having such influence and does not include a joint venture company
(4) a company in which that other company has full shares, and is a subsidiary company of the company having such influence and includes a joint venture company

Ans :

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(2) a company in which that other company has a significant influence, but which is not a subsidiary company of the company having such influence and includes a joint venture company

Explanation: This matches the definition given in Section 2(6) of the Companies Act, 2013. An associate company is one over which another company has "significant influence" (at least 20% of total voting power) but which is not a subsidiary. The definition explicitly includes a joint venture company within its ambit.

68. The Supreme Court has legalised living wills and passive euthanasia subject to certain conditions in the case of

(1) Aruna Ramachandra Shanbaug Vs Union of India (2011)
(2) Common Cause Vs Union of India, (2018) 5 SCC 1.
(3) Gian Kaur Vs State of Punjab (1996)
(4) D Chenna Jagadeeswar Vs State of A.P. (1988)

Ans :

(2) Common Cause Vs Union of India, (2018) 5 SCC 1.

Explanation: In the landmark case of Common Cause (A Registered Society) v. Union of India, the Supreme Court of India recognized the right to die with dignity as a fundamental right. It legalized passive euthanasia and permitted the execution of "living wills" or advance medical directives, subject to stringent safeguards to prevent misuse.

69. Article 310 of the Constitution mentions about

(1) Doctrine of Immunities and Instrumentalities with reference to civil servants
(2) Doctrine of legitimate expectation with reference to civil servants
(3) Doctrine of natural justice with reference to civil servants
(4) Doctrine of pleasure with reference to civil servants is

Ans :

(4) Doctrine of pleasure with reference to civil servants is

Explanation: Article 310 of the Constitution of India embodies the "doctrine of pleasure." It states that members of the Defence Services, the civil services of the Union, and all-India services hold office during the pleasure of the President. Similarly, members of state services hold office during the pleasure of the Governor.

70. Right to know the antecedents of the candidates in the election flow from

(1) Article 19 (1)(a)
(2) Article 20
(3) Article 13
(4) Article 14

Ans :

(1) Article 19 (1)(a)

Explanation: In several landmark judgments, the Supreme Court has held that the voters' right to know the antecedents of candidates is a crucial aspect of the freedom of speech and expression, guaranteed under Article 19(1)(a) of the Constitution. This information is essential for voters to make an informed choice, which is the bedrock of democracy.

71. In the Preamble of the Indian Constitution, the expression 'liberty' is followed by the words

(1) of status and opportunity
(2) of thought, expression, belief, faith and worship
(3) Assuring the dignity of the individual
(4) Justice, social economic and political

Ans :

(2) of thought, expression, belief, faith and worship

Explanation: The Preamble to the Constitution of India secures for all its citizens, among other things, "LIBERTY of thought, expression, belief, faith and worship." This phrase specifies the key dimensions of liberty that the Constitution aims to protect, forming a cornerstone of the fundamental rights guaranteed to every citizen.

72. According to Income Tax Act "zero coupon bond" means a bond

(1) issued by any infrastructure capital company or infrastructure capital fund or public sector company or scheduled bank on or after the 1st day of June, 2005;
(2) in respect of which no payment and benefit

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is received or receivable before maturity or redemption from infrastructure capital company or infrastructure capital fund or public sector company or scheduled bank
(3) which the Central Government may, by notification in the Official Gazette, specify in this behalf.
(4) All of the above

Ans :

(4) All of the above
Explanation: The definition of "zero coupon bond" under Section 2(48) of the Income Tax Act is comprehensive and includes all the conditions listed. It must be issued by a specified entity after a certain date, offer no periodic payments before maturity, and be specified by the Central Government via notification.

73. Provisions relating to GST are inserted in the Constitution by
(1) The Constitution (one hundred and first) Act 2016
(2) The Constitution (one hundred and second) Act 2016
(3) The Constitution (eighty fourth) Act 2016
(4) The Constitution (seventy-seven) Act 2016

Ans :

(1) The Constitution (one hundred and first) Act 2016
Explanation: The Goods and Services Tax (GST) regime was introduced in India through the Constitution (One Hundred and First Amendment) Act, 2016. This significant amendment introduced key articles like 246A, 269A, and 279A, creating a concurrent power for the Centre and States to levy GST and establishing the GST Council.

74. A is accused of waging war against the Government of India by taking part in an armed insurrection in which property is destroyed, troops are attacked, and goals are broken open. The occurrence of these facts is relevant, as forming part of the general transaction, though A may not have been present at all of them. under which section of the India Evidence Act.
(1) Section 12
(2) Section 6
(3) Section 3
(4) Section 5

Ans :

(2) Section 6
Explanation: This scenario is an illustration of Section 6 of the Indian Evidence Act, which deals with the doctrine of res gestae (facts forming part of the same transaction). Since all the acts (property destruction, attacking troops) are part of the single transaction of waging war, they are all relevant to establishing the charge against A.

75. Section 110 of the Evidence Act deals with
(1) Documentary Evidence
(2) Exclusion of Oral Evidence
(3) Burden of proof as to ownership
(4) Proof of guilt.

Ans :

(3) Burden of proof as to ownership
Explanation: Section 110 of the Indian Evidence Act, 1872, deals with the burden of proof regarding ownership. It establishes a presumption that a person in possession of anything is the owner. The burden of proving that they are not the owner lies on the person who asserts that they are not.

76. Section 113 (a) of the Evidence Act deals with
(1) Presumption as to abetment of murder
(2) Presumption as to rape and abetment of suicide by a woman
(3) Presumption as to abetment of kidnap of a girl
(4) Presumption as to abetment of suicide by a married woman

Ans :

(4) Presumption as to abetment of suicide by a married woman
Explanation: Section 113A of the Indian Evidence Act lays down the "Presumption as to abetment of suicide by a married woman." If a married woman commits suicide within seven years of her marriage and it's shown she was subjected to cruelty by her husband, the court may presume that the husband abetted the suicide.

77. In which of the following case the offence of sedition was in issue
(1) Queen Empress Vs Bal Gangadhar Tilak
(2) Niharendu Dutt Mazumdar Vs Emperor

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(3) Kedar Nath singh Vs State of Bihar
(4) All of the above

Ans :

(4) All of the above
Explanation: The offence of sedition under Section 124A of the IPC has been a subject of judicial interpretation in numerous cases. Key cases that have discussed its scope include Queen-Empress v. Bal Gangadhar Tilak, Niharendu Dutt Majumdar v. Emperor, and the landmark constitutional case of Kedar Nath Singh v. State of Bihar, which upheld its validity with a narrow interpretation.

78. Deliberate and malicious acts, intended to outrage religious feelings of any class by insulting its religion or religious beliefs. - is an offence under
(1) Section 295
(2) Section 295A
(3) Section 265A
(4) Section 276

Ans :

(2) Section 295A
Explanation: Section 295A of the Indian Penal Code specifically criminalizes "deliberate and malicious acts, intended to outrage religious feelings of any class by insulting its religion or religious beliefs." This provision is aimed at punishing aggravated forms of hate speech that are intended to disrupt public order.

79. Under Section 29 of Cr.P.C. The Court of a Chief Judicial Magistrate may pass any sentence authorized by law except
(1) A sentence of death
(2) Imprisonment for life
(3) Imprisonment for a term exceeding seven years.
(4) All of the above

Ans :

(4) All of the above
Explanation: Section 29 of the Code of Criminal Procedure, 1973, outlines the sentencing powers of Magistrates. A Chief Judicial Magistrate can impose a sentence of imprisonment for a term not exceeding seven years. Therefore, they are not authorized to pass a sentence of death, imprisonment for life, or for a term exceeding seven years.

80. Provision regarding filing of suits by an alien under the Code of Civil procedure is dealt under
(1) Section 21A
(2) Section 15
(3) Section 218
(4) Section 83

Ans :

(4) Section 83
Explanation: Section 83 of the Code of Civil Procedure, 1908, specifically deals with "When aliens may sue." It distinguishes between alien friends (who can sue as if they were citizens) and alien enemies (who cannot sue without the permission of the Central Government). This section governs the access of foreign nationals to Indian civil courts.

81. An order issued by court under Civil Procedure Code 1908 as per order XXI, rule 46, for recovery of amount due to judgment creditor is known as
(1) IT Order
(2) Garnishee Order
(3) Decree Holder order
(4) Bank Order

Ans :

(2) Garnishee Order
Explanation: A Garnishee Order is a judicial order related to the execution of a decree. It directs a third party (the garnishee), who owes money to the judgment-debtor, to instead pay that money to the decree-holder to satisfy the judgment. The procedure is detailed in Order XXI of the CPC.

82. Section 88 read with Order XXXV of the Code of Civil Procedure, 1908 deals with
(1) Interpleader suit
(2) Interlocutory Order
(3) Restitution Order
(4) Attachment Order

Ans :

(1) Interpleader suit
Explanation: Section 88 and Order XXXV of the Code of Civil Procedure, 1908, together provide the legal framework for an "interpleader suit." This is a type of suit filed by a person who holds

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property or money that is claimed by two or more other persons, allowing the court to decide the rightful claimant.

83. Vis major means
(1) Act of God
(2) Act of Individual
(3) Act of other party
(4) Act of plaintiff

Ans :

(1) Act of God
Explanation: "Vis major" is a Latin term that translates to "superior force." In legal terms, it is synonymous with "Act of God." It refers to a natural catastrophe or an irresistible force of nature, such as an earthquake, flood, or hurricane, that occurs without any human intervention and could not have been prevented by reasonable foresight or care.

84. According to Classical doctrine of Act of State in law of Torts means
(1) an act of the sovereign power of a country, that cannot be challenged, controlled or interfered with by municipal courts
(2) an act of the Judiciary of a country, that cannot be challenged, controlled or interfered with by municipal courts
(3) an act of the sovereign power of a country, that can be challenged, controlled or interfered with by municipal courts
(4) None of the above

Ans :

(1) an act of the sovereign power of a country, that cannot be challenged, controlled or interfered with by municipal courts
Explanation: The "Act of State" doctrine holds that a nation's sovereign acts performed within its own territory are not subject to judicial review by the courts of another country. In tort law, it serves as a defense, asserting that a municipal court cannot adjudicate upon the legality of acts committed by a foreign sovereign state.

85. In Torts, all persons who aid, or counsel, or direct or join in the committal of a wrongful act, are known as
(1) Abettors
(2) Joint tortfeasors.
(3) Tort holders
(4) Tort holders in common

Ans :

(2) Joint tortfeasors.
Explanation: In the law of torts, when two or more persons act in concert to commit a wrongful act or when their independent wrongful acts cause a single, indivisible injury, they are known as joint tortfeasors. Each joint tortfeasor is jointly and severally liable for the entire damage caused to the plaintiff.

86. M.C. Mehta Vs Union of India 1986 Shriram food and Fertilisers case relates to
(1) Olieum Gas leak
(2) Ganga water cleaning
(3) Child labour
(4) Bonded labour

Ans :

(1) Olieum Gas leak
Explanation: The case of M.C. Mehta v. Union of India (1987), also known as the Shriram Food and Fertilisers case or the Oleum Gas Leak case, is a landmark decision in Indian environmental law. Following a leak of oleum gas, the Supreme Court evolved the principle of "absolute liability" for enterprises engaged in hazardous activities.

87. A. K. Kraipak Vs Union of India relates to
(1) Likelihood of Bias
(2) Delegated Legislation
(3) Administrative Discretion
(4) Notice

Ans :

(1) Likelihood of Bias
Explanation: The case of A.K. Kraipak v. Union of India is a seminal judgment in administrative law, particularly concerning the principle of natural justice against bias. The Supreme Court quashed the selections made by a board because one of the candidates was also a member of the selection board, establishing that even a "likelihood of bias" is sufficient to vitiate a decision.

88. Judicial control of Delegated Legislation may be exercised on the ground of
(1) Doctrine of Ultravires
(2) Malafides
(3) Exclusion of Judicial Review

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(4) All of the above

Ans :

(1) Doctrine of Ultravires
Explanation: Judicial review of delegated legislation is primarily exercised on the ground of ultra vires. This can be substantive ultra vires (if the rule goes beyond the scope of the parent act) or procedural ultra vires (if mandatory procedures for rule-making were not followed). While mala fides can be a ground, ultra vires is the foundational doctrine.

89. The principle of Res Judicata is dealt under Section ---- of CPC
(1) 9
(2) 10
(3) 11
(4) 12

Ans :

(3) 11
Explanation: Section 11 of the Code of Civil Procedure, 1908, embodies the doctrine of Res Judicata. This fundamental principle prevents the re-litigation of a matter that has already been finally decided by a competent court between the same parties. Its purpose is to ensure the finality of judgments and prevent multiplicity of proceedings.

90. Section 14 of the C.P.C. deals with
(1) Presumption as to decisions of tribunals
(2) Presumption as to foreign judgments
(3) Presumption as to judgments of the lower court
(4) Presumption as to judgments of High Court

Ans :

(2) Presumption as to foreign judgments
Explanation: Section 14 of the Code of Civil Procedure, 1908, specifically deals with the presumption related to foreign judgments. It states that the court shall presume, upon the production of a certified copy of a foreign judgment, that such judgment was pronounced by a Court of competent jurisdiction, though this presumption is rebuttable.

91. A, residing in Delhi, publishes in Kolkata statements defamatory of B. B may sue A
(1) Only in Delhi
(2) Only in Kolkata
(3) in both the place of Delhi and Kolkata
(4) either in Kolkata or in Delhi.

Ans :

(4) either in Kolkata or in Delhi.
Explanation: According to Section 19 of the Code of Civil Procedure, a suit for compensation for wrong done to a person can be instituted either in the court within whose jurisdiction the defendant resides (Delhi) or where the wrong was committed (Kolkata). Therefore, B has the option to sue A in either Kolkata or Delhi.

92. "Mere illegality of the strike does not per se spell unjustifiability" - Justice Krishna Iyer. Name the case.
(1) Chandramalai Estate Vs Its workmen
(2) Associated Cement Ltd., Vs Their workmen
(3) Gujarat Steel Tubes Vs Gujarat Steel Tubes Mazdoor Sabha
(4) Indian General Navigation of Railway Co. Ltd., Vs Their workmen

Ans :

(3) Gujarat Steel Tubes Vs Gujarat Steel Tubes Mazdoor Sabha
Explanation: This observation was made by Justice Krishna Iyer in the case of Gujarat Steel Tubes Ltd. v. Gujarat Steel Tubes Mazdoor Sabha. He emphasized that while a strike may be illegal (in breach of statutory provisions), the court must still examine the reasons behind it to determine if it was justified, especially when provoked by unfair labor practices.

93. A workman aggrieved by the order of may directly make an application to the labour court or tribunal for adjudication of the dispute and the court/tribunal is empowered to adjudicate such dispute as it had been referred to it by the appropriate government
(1) Dismissal, discharge and retrenchment
(2) Dismissal, discharge, retrenchment or otherwise termination of service
(3) Discharge simpliciter exclusively
(4) Dismissal and retrenchment exclusively

Ans :

(2) Dismissal, discharge, retrenchment or otherwise termination of service

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Explanation: Section 2A of the Industrial Disputes Act, 1947, was amended to allow an individual workman to directly approach a Labour Court or Tribunal in case of a dispute arising from their discharge, dismissal, retrenchment, or any other form of termination of service, deeming it an industrial dispute without needing a union's support.

94. The national consumer dispute redressal commission was constituted in the year
(1) 1988
(2) 1998
(3) 1999
(4) 1997

Ans :

(1) 1988
Explanation: The National Consumer Disputes Redressal Commission (NCDRC) was established as the apex body in the three-tier consumer dispute redressal machinery. It was constituted by the Central Government in 1988 under the provisions of the Consumer Protection Act, 1986, to handle appeals and complaints of higher pecuniary value.

95. What is the limitation period applicable to the three forums in entertaining a complaint under The Consumer Protection Act, 1986
(1) 3 years from the date on which the cause of action has arisen
(2) 5 years from the date on which the cause of action has arisen
(3) 4 years from the date on which the cause of action has arisen
(4) 2 years from the date on which the cause of action has arisen

Ans :

(4) 2 years from the date on which the cause of action has arisen
Explanation: Section 24A of the Consumer Protection Act, 1986, prescribed the period of limitation for filing a complaint. It stated that the District Forum, the State Commission, or the National Commission shall not admit a complaint unless it is filed within two years from the date on which the cause of action has arisen.

96. Under Section 82 of the Indian Penal Code, nothing is an offence which is done by a child under the age of.
(1) 14 years
(2) 7 years
(3) 18 years
(4) 21 years

Ans :

(2) 7 years
Explanation: Section 82 of the Indian Penal Code incorporates the principle of "doli incapax." It provides absolute immunity from criminal liability by stating that nothing is an offence which is done by a child under seven years of age, as a child of such a young age is legally presumed to be incapable of forming criminal intent.

97. R. V. Dudley & Stephen stands for the principle that
(1) Killing an innocent life to save his own is not a defence and necessity cannot be pleaded as a defence against murder
(2) Necessity can be pleaded as a defence against murder, killing an innocent life to save his own may become inevitable
(3) Killing out of mercy is a defence and necessity cannot be pleaded as a defence against murder.
(4) None of the above

Ans :

(1) Killing an innocent life to save his own is not a defence and necessity cannot be pleaded as a defence against murder
Explanation: The famous case of R v. Dudley and Stephens established a crucial legal principle. The court held that the defense of necessity cannot justify the intentional killing of an innocent person to save one's own life. The shipwrecked sailors who killed and ate a cabin boy were convicted of murder.

98. On and from the commencement of the Hindu Succession (Amendment) Act, 2005, in a Joint Hindu family governed by the Mitakshara law, conferring on daughter coparcenary status by substituting new section for
(1) Section 6
(2) section 10
(3) Section 11

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(4) Section 13

Ans :

(1) Section 6
Explanation: The Hindu Succession (Amendment) Act, 2005, brought a revolutionary change by substituting the old Section 6 of the Hindu Succession Act, 1956. The new Section 6 granted daughters the status of a coparcener by birth in their own right, giving them equal rights and liabilities in the ancestral property as a son.

99. Section 5 of Hindu Marriage Act relates to
(1) Void marriages
(2) Voidable marriages
(3) Ceremonies of Hindu marriage
(4) Conditions of Hindu marriage

Ans :

(4) Conditions of Hindu marriage
Explanation: Section 5 of the Hindu Marriage Act, 1955, is the foundational provision that lays down the essential conditions for a valid Hindu marriage. These conditions include monogamy, mental capacity, minimum age, and that the parties are not within the degrees of prohibited relationship or are sapindas of each other.

100. A marriage between a girl of 22 years marries her maternal uncle's son of 23 years in accordance with the Special Marriage Act. Such marriage is
(1) Valid
(2) Voidable
(3) Void
(4) Valid only in north India

Ans :

(3) Void
Explanation: Under Section 4(d) of the Special Marriage Act, 1954, a marriage between parties who are within the degrees of prohibited relationship is void. The First Schedule of the Act lists a man and his mother's brother's daughter (maternal uncle's daughter) as being within these degrees. Therefore, this marriage would be void.

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ALL INDIA BAR EXAMINATION XIV

1. Writ of Certiorari can be issued against
(A) Judicial and Quasi-Judicial bodies
(B) Quasi Judicial and Administrative bodies
(C) Administrative Bodies only
(D) None of the above

Ans :

(B) Quasi Judicial and Administrative bodies
Explanation: The writ of Certiorari is issued by a higher court to a lower court, tribunal, or authority to quash an order that is illegal, without jurisdiction, or violates principles of natural justice. Initially limited to judicial and quasi-judicial bodies, its scope was later expanded to include administrative bodies when their actions affect individual rights.

2. Supreme Court of India held that it is permanent obligation of every member of medical profession either government or private to give medical aid to every injured person brought for treatment immediately without waiting for procedural formalities in the case of-
(A) Common Cause V/S Union of India (1996) 1 SC 753
(B) Peoples Union of India, AIR 1983 SC 339
(C) Parmanand Katara V/S Union of India, AIR 1989 SC 2039
(D) Lakshmi Kant Pandey V/s Union of India (1984) 25 SC 244

Ans :

(C) Parmanand Katara V/S Union of India, AIR 1989 SC 2039
Explanation: The Supreme Court, in the case of Parmanand Katara v. Union of India, established that every doctor has a professional obligation to extend services to protect life. The court ruled that the preservation of human life under Article 21 is paramount, superseding any legal formalities, and every injured person should receive immediate medical aid.

3. The Supreme Court of India has issued the direction to make the CBI independent agency so that it can function more effectively and investigate Crimes and Corruptions at high places in public life in the Case of-
(A) Union of India V/s Association For democratic reforms, AIR 2002 SC 2112
(B) Bangalore medical Trust V/S B.S Muddappa (1991) 45 SC 54
(C) Vincent Panikurlangra V/s Union of India (1987) 2 SC 165
(D) Vincent Narayan V/s Union of India, AIR 1998 SC 889

Ans :

(D) Vincent Narayan V/s Union of India, AIR 1998 SC 889
Explanation: In the landmark case of Vincent Narayan v. Union of India, also known as the Jain Hawala case, the Supreme Court issued several directives to insulate the CBI from external political pressures. The judgment aimed to ensure its functional autonomy and enable it to investigate corruption in high public offices without interference.

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4. For the first time in India Income Tax was introduced by Sir James Wilson in the year:
(A) 1886
(B) 1868
(C) 1860
(D) None of the Above

Ans :

(C) 1860
Explanation: Income tax was introduced for the first time in India in 1860 by Sir James Wilson. This was done to compensate for the losses suffered by the British government during the Sepoy Mutiny of 1857. It was introduced as a temporary measure but has since become a permanent feature of India's fiscal policy.

5. In which case Justice J.C. Shah of S.C. observed "Since by the exercise of the power a serious invasion is made upon the rights, privacy and freedom of the tax payer, the power must be

exercised strictly in accordance with law and only for the purpose for which law authorises it to be excercised"
(A) Director of Inspection Vs Pooranmal
(B) ITO Vs Seth Brothers.
(C) P.R. Metrani Vs CIT
(D) None of the above

Ans :

(B) ITO Vs Seth Brothers.
Explanation: In the case of Income Tax Officer vs. Seth Brothers, Justice J.C. Shah made this significant observation regarding the power of search and seizure under the Income Tax Act. The Court emphasized that these powers, which deeply invade a taxpayer's privacy and freedom, must be used strictly within the legal framework and only for authorized purposes.

6. Which of the following statements are true?
i Minor's contract can be ratified on attaining majority.
ii Minor's contact be ratified on attaining majority
iii Minor's contract can be ratified jointly by both the parties to the contract.
iv Minor is not liable under minor's contract
(A) (i) and (iii)
(B) (ii) and (iv)
(C) (i) and (ii)
(D) (ii) and (iii)

Ans :

(B) (ii) and (iv)
Explanation: A contract with a minor is void ab initio (void from the beginning), as established in Mohori Bibee vs. Dharmodas Ghose. Consequently, a minor is not liable under such a contract, and the contract cannot be ratified upon attaining majority because a void agreement cannot be made valid by subsequent ratification.

7. Which one of the following sections of CrPC deals with irregularities which vitiate proceeding?
(A) Section 460
(B) Section 461
(C) Section 462
(D) Section 468

Ans :

(B) Section 461
Explanation: Section 461 of the Criminal Procedure Code, 1973, lists irregularities that vitiate proceedings. If any Magistrate, not empowered by law, erroneously in good faith does any of the acts mentioned in this section (like attaching property or trying an offender), the proceedings shall be void. Section 460 deals with irregularities that do not vitiate proceedings.

8. Which of the following is not an essential element of a decree:
(A) Conclusive determination of the rights of the parties.
(B) Formal expression of adjudication.
(C) An adjudication from which an appeal lies as an appeal from an order.
(D) The adjudication must have been given in a suit before the court.

Ans :

(C) An adjudication from which an appeal lies as an appeal from an order.
Explanation: Section 2(2) of the Civil Procedure Code defines a decree. A key essential is the conclusive determination of the rights of parties in a suit. An adjudication from which an appeal lies as an appeal from an order is expressly excluded from the definition of a decree, making it a non-essential element.

9. Which of the following is an infringement of a Registered Trade mark:
(A) Use of a mark identical to the Trade mark in relation to goods without authorisation.
(B) Advertising of that Trade mark such that the advertisement is against the reputation of the Trade Mark.
(C) Use of that Trade mark as a business name without authorisation.
(D) All of the above.

Ans :

(D) All of the above.
Explanation: Under the Trade Marks Act, 1999, infringement occurs when an unauthorized person uses a mark that is identical or deceptively similar to a registered trademark. This includes using it on goods, as a business name, or in advertising that damages the mark's reputation, all of which are considered infringements.

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10. A person undergoing life imprisonment, if attempts to commit murder and hurt is caused thereby, he may be punished with:
(A) Life Imprisonment
(B) Death
(C) Imprisonment
(D) All of the above

Ans :

(B) Death
Explanation: Section 307 of the Indian Penal Code addresses the attempt to murder. The second paragraph specifically states that if a person undergoing a sentence of life imprisonment commits such an offense and hurt is caused, the offender may be punished with death. This provision prescribes a harsher penalty for this specific circumstance.

11. Under the Dissolution of Muslim Marriage Act, 1939 a Muslim wife can seek Dissolution of marriage if the husband fails to perform marital obligation for :
(A) 2 year
(B) 3 year
(C) 4 year
(D) 5 year

Ans :

(B) 3 year
Explanation: Section 2(iv) of the Dissolution of Muslim Marriage Act, 1939, provides a ground for a wife to seek a decree for the dissolution of her marriage. This ground is available if the husband has failed to perform, without reasonable cause, his marital obligations for a period of three years.

12. The Concept of 'Curative' Petition was introduced by the Supreme Court of India in the case of
(A) Rupa Ashok Hura V/S Ashok Hura, AIR 2002 SC 1771
(B) M.C. Mehta V/S Union of India, AIR 1987 SC 1087
(C) Krishna Swami V/s Union of India, (1992) 45 CC 605
(D) Sheela Barse V/s Union of India, (1986) 35 CC 5962

Ans :

(A) Rupa Ashok Hura V/S Ashok Hura, AIR 2002 SC 1771
Explanation: The Supreme Court introduced the concept of the curative petition in the case of Rupa Ashok Hurra v. Ashok Hurra. This remedy was devised to prevent the abuse of its process and to cure a gross miscarriage of justice. It can be entertained after a review petition has been dismissed, under stringent conditions.

13. Right to Free Legal Aid was recognised as a Fundamental Right under Article 21 of Indian Constitution in the case of-
(A) Hussaainara Khatoon V/S State of Bihar, AIR 1979 SC 1360
(B) M.H Hoskot V/S State of Maharashtra, AIR 1978 SC 1548
(C) Madhu Mehta V/s Union of India (1989) 4 SC 1548
(D) Rudal Shah V/S State of Bihar (1983) 45 SC 14

Ans :

(B) M.H Hoskot V/S State of Maharashtra, AIR 1978 SC 1548
Explanation: While Hussainara Khatoon also dealt with legal aid, it was in M.H. Hoskot v. State of Maharashtra that the Supreme Court explicitly held that the right to free legal aid is an essential ingredient of a reasonable, fair, and just procedure for a person accused of an offense, thus making it implicit in Article 21.

14. One of the following statements is not true, which one is that:
(A) A confession by one co accused implicating other co accused would be proved.
(B) A confession to a police-officer cannot be proved.
(C) A confession by a person in the custody of a police officer to any person in the presence of magistrate can be proved.
(D) If the confession of a person leads to recovery of a thing it can be proved.

Ans :

(A) A confession by one co accused implicating other co accused would be proved.
Explanation: Under Section 30 of the Indian Evidence Act, the confession of a co-accused can be "taken into consideration" against other co-accused, but it cannot be "proved" as substantive

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evidence. It is a very weak piece of evidence that requires corroboration. Statements B, C, and D are correct principles under Sections 25, 26, and 27 respectively.

15. The Kashmira Singh Vs State of MP is a leading case on:
(A) Dying declaration
(B) Admission
(C) Confession to police officer
(D) Confession of a co-accused

Ans :

(D) Confession of a co-accused
Explanation: The case of Kashmira Singh v. State of M.P. is a landmark judgment on the evidentiary value of a confession by a co-accused. The Supreme Court held that such a confession is not substantive evidence and can only be used to lend assurance to other evidence against the co-accused, but cannot form the basis of a conviction.

16. The authentication to be affected by the use of asymmetric crypto system and hash function is known as:
(A) Public key
(B) Private key
(C) Digital Signature
(D) Electronic Governance

Ans :

(C) Digital Signature
Explanation: As defined in the Information Technology Act, 2000, a digital signature is a specific method of authentication of an electronic record. It involves using an asymmetric crypto system and a hash function, which envelops and transforms the initial electronic record into another electronic record, ensuring authenticity and integrity.

17. Punishment for Cyber Terrorism under Section 66F shall be punishable:
(A) With Imprisonment which may extend to three year or with fine not exceeding two lakh rupees or with both.
(B) With imprisonment for a term which may extend to seven years and shall also be liable to fine:
(C) With imprisonment which may extend to imprisonment for life.
(D) With imprisonment of either description for a term which may extend to ten years and shall also be liable to fine.

Ans :

(C) With imprisonment which may extend to imprisonment for life.
Explanation: Section 66F of the Information Technology Act, 2000, deals with the offense of cyber terrorism. The section explicitly states that whoever commits or conspires to commit cyber terrorism shall be punishable with imprisonment which may extend to imprisonment for life. This highlights the severe nature of the offense.

18. Section 2(j) of the Industrial, Disputes Act, 1947 define "Industry" means any
i Business trade, undertaking
ii Manufacture or calling of employers
iii Included any calling, service, employment, handicraft
iv Industrial occupation of workmen
(A) (i) and (ii)
(B) (i), (ii) and (iii)
(C) (iii) and (iv)
(D) All of the above

Ans :

(D) All of the above
Explanation: Section 2(j) of the Industrial Disputes Act, 1947 provides a wide and inclusive definition of "industry". It covers any business, trade, undertaking, manufacture, or calling of employers and includes any calling, service, employment, handicraft, or industrial occupation or avocation of workmen. Therefore, all the listed elements are part of the definition.

19. 'A' places men with firearms at the outlets of a building and tells 'Z'. that they will fire at 'Z' if 'Z' attempts to leave the building 'A' is:
(A) Wrongfully restrains Z
(B) Wrongfully confine Z
(C) Both (1) & (2)
(D) None of the above

Ans :

(B) Wrongfully confine Z
Explanation: Wrongful confinement, under Section 340 of the IPC, is a form of wrongful restraint where a person is prevented from proceeding beyond certain circumscribing

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limits. By placing armed men at all outlets, 'A' has confined 'Z' within the building, preventing egress in any direction, which constitutes wrongful confinement, not just restraint.

20. 'A' incites a dog to spring upon 'Z', without Zs' consent. If 'A' intends to cause injury, fear or annoyance to 'Z':
(A) 'A' uses force to Z'
(B) 'A' assaulted 'Z'
(C) 'A' uses criminal force to 'Z'
(D) None of the above

Ans :

(C) 'A' uses criminal force to 'Z'
Explanation: According to Section 350 of the IPC, criminal force involves intentionally using force on a person without their consent to commit an offense or cause injury, fear, or annoyance. By inciting the dog, 'A' is causing motion (the dog's attack) to be brought into contact with 'Z', which fits the definition of using criminal force.

21. 'A' causes cattle to enter upon the field belonging to 'Z', intending to cause and knowing that he is likely to cause damage to 'Z's' crop. 'A' has committed:
(A) Mischief
(B) Criminal trespassing
(C) Criminal breach of trust
(D) Extortion

Ans :

(A) Mischief
Explanation: Mischief, as defined under Section 425 of the IPC, is committed when a person, with intent to cause wrongful loss or damage to the public or any person, causes the destruction of any property. By intentionally causing the cattle to destroy Z's crop, A has fulfilled all the essential elements of the offense of mischief.

22. Which of the following provisions of the Advocates Act, 1961 provides for the power of Bar Council of India to withdraw to itself, any proceedings for disciplinary action State Bar pending before any State Council:
(A) Section 35
(B) Section 37
(C) Section 36(2)
(D) None of the Above

Ans :

(C) Section 36(2)
Explanation: Section 36(2) of the Advocates Act, 1961, grants the Bar Council of India the power to withdraw, for inquiry before itself, any disciplinary proceeding pending against an advocate before a State Bar Council. This power can be exercised either on its own motion or on an application made by an interested person.

23. Which Court or Authority has the power to punish any person for contempt of the National Company Law Tribunal:
(A) Supreme Court
(B) High Court
(C) National Company Law Appellate Tribunal
(D) National Company Law Tribunal

Ans :

(D) National Company Law Tribunal
Explanation: Section 425 of the Companies Act, 2013, grants the National Company Law Tribunal (NCLT) the same jurisdiction, powers, and authority in respect of contempt of itself as a High Court has. Therefore, the NCLT is empowered to initiate proceedings and punish for its own contempt, just like a High Court.

24. Which of the following is not a vested interest:
(A) 'A' stipulates that title in a property shall pass to 'C' on his death.
(B) 'A' stipulates that title in a property shall pass to 'C' on the death of 'B'
(C) 'A' stipulates that title in a property shall pass to 'C' if he marries 'B'
(D) 'A' stipulates that title in a property shall pass to 'C' after ten years.

Ans :

(C) 'A' stipulates that title in a property shall pass to 'C' if he marries 'B'
Explanation: A vested interest is not defeated by the death of the transferee before he obtains possession (Section 19, TPA). Options A, B, and D create vested interests. Option C creates a contingent interest, as the transfer to 'C' is dependent on an uncertain future event (marrying 'B'), which may or may not happen.

25. Which of the following is wrong in respect of the law of Copyright:
(A) Copyright protects only the expression and not idea.

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(B) There is no copyright in respect of a fact.
(C) There is no copyright in a government work
(D) Copyright doesn't require registration.

Ans :

(C) There is no copyright in a government work
Explanation: This statement is incorrect. Section 17(d) of the Copyright Act, 1957, explicitly provides for copyright in government works. The government is the first owner of the copyright in such works, unless there is an agreement to the contrary. The other statements correctly describe fundamental principles of copyright law.

26. In which of the following cases, the Supreme Court held that an International Commercial Arbitration is one which has its juridical or legal seat of arbitration outside India:
(A) Bhatia International v. Buk Trading S.A. (2002) 4 SCC 105.
(B) Bharat Aluminium Company v. Kaiser Aluminium Technical Services Inc. (2012) 9 SCC 552.
(C) Booz Allen and Hamilton Inc. v. SBI Home Finance Limited (2011) 5 SCC 532.
(D) Vimal Kishore Shah v. Jayesh Dinesh Shah (2016) 8 SCC 788.

Ans :

(B) Bharat Aluminium Company v. Kaiser Aluminium Technical Services Inc. (2012) 9 SCC 552.
Explanation: In the landmark Bharat Aluminium Company (BALCO) v. Kaiser Aluminium case, the Supreme Court overruled its earlier decision in Bhatia International. It held that Part I of the Arbitration and Conciliation Act, 1996, which deals with court intervention, applies only to arbitrations seated in India and not to foreign-seated international commercial arbitrations.

27. Which of the following provisions of the Hindu Succession Act, 1956 lays down for the escheat:
(A) Section 25
(B) Section 26
(C) Section 27
(D) Section 29

Ans :

(D) Section 29
Explanation: Section 29 of the Hindu Succession Act, 1956, deals with the principle of escheat. It states that if an intestate (a person who dies without a will) has left no heir qualified to succeed to his or her property in accordance with the provisions of this Act, such property shall devolve on the government.

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28. Under which of the following Articles of the Indian Constitution Parliament is empowered to legislate with respect to a matter in the State List in National Interest?
(A) Article 249
(B) Article 250
(C) Article 252
(D) Article 253

Ans :

(A) Article 249
Explanation: Article 249 of the Indian Constitution grants a special power to the Rajya Sabha (Council of States). If it passes a resolution supported by not less than two-thirds of the members present and voting, it can empower the Parliament to make laws on any matter enumerated in the State List in the national interest.

29. In which of the following cases the court has laid down that 'Right to life' does not include 'Right to die'?
(A) State Vs Sanjay Kr. Bhatia
(B) Smt. Gian Kaur Vs State of Punjab
(C) R Vs Holiday
(D) P. Rathinam Vs UOI

Ans :

(B) Smt. Gian Kaur Vs State of Punjab
Explanation: In the case of Smt. Gian Kaur vs. State of Punjab, a Constitution Bench of the Supreme Court overruled its earlier decision in P. Rathinam. The Court held that the 'Right to Life' under Article 21 is a natural right to live with dignity and does not include the 'right to die' or the right to be killed.

30. The question whether a bill is a money bill or not is decided by?
(A) The Prime Minister
(B) The Finance Minister
(C) The President
(D) The Speaker, Lok Sabha

Ans :

(D) The Speaker, Lok Sabha
Explanation: According to Article 110(3) of the Indian Constitution, if any question arises whether a Bill is a Money Bill or not, the decision of the Speaker of the House of the People (Lok Sabha) shall be final. The Speaker's certificate on a Money Bill, once given, cannot be challenged in any court.

31. Decision under 10th Schedule is taken by?
(A) President
(B) Chief Justice of India
(C) Prime Minister
(D) Presiding officers of Houses

Ans :

(D) Presiding officers of Houses
Explanation: The Tenth Schedule of the Constitution, also known as the Anti-Defection Law, lays down the process for disqualification of a member of Parliament or a state legislature on grounds of defection. The decision on such a question of disqualification is referred to the Chairman or the Speaker of the respective House, and their decision is final.

32. The case of Muhammad Allahdad Khan Vs Muhammad Ismail Khan is related to:
(A) Pre-emption
(B) Gift
(C) Mehar
(D) Acknowledgement of paternity

Ans :

(D) Acknowledgement of paternity
Explanation: The case of Muhammad Allahdad Khan v. Muhammad Ismail Khan is a landmark judgment on the concept of 'Iqrar' or acknowledgement of paternity under Muslim Law. The Privy Council held that if a man acknowledges another as his legitimate child, the presumption of legitimacy arises, which can only be rebutted by specific disproof.

33. In which of the following cases, the Supreme Court was in 2017 declared pronouncements of talaq three times at a time by a Muslim husband as unconstitutional?
(A) Shayara Bano V/s Union of India
(B) Shassnim Ara V/S State of U.P
(C) Baitahira V/S Ali Hasan
(D) Danial latifi V/S Union of India

Ans :

(A) Shayara Bano V/s Union of India
Explanation: In the historic case of Shayara Bano v. Union of India, the Supreme Court of India, by a 3:2 majority, held that the practice of Talaq-e-Biddat (instant triple talaq) is unconstitutional. The court found the practice to be manifestly arbitrary and violative of Article 14 (Right to Equality) of the Constitution.

34. Which one is a Foreign Award-
(A) An award in a arbitration where at least one party in non-Indian
(B) An award passed in a foreign seated arbitration
(C) An award passed in a arbitration where both the parties are non- Indian
(D) None of the above

Ans :

(B) An award passed in a foreign seated arbitration
Explanation: Under the Arbitration and Conciliation Act, 1996, a "foreign award" is primarily defined by its "seat" or place of arbitration. An arbitral award made in a territory outside India, in pursuance of an agreement for arbitration, is considered a foreign award, and its enforcement in India is governed by Part II of the Act.

35. If a man marries a girl who is within his prohibited relationship and his custom does not permit such marriage, such a man would be punished under:
(A) Section 17 of the Hindu Marriage Act 1955
(B) Section 18 (a) of the Hindu Marriage Act 1955
(C) Section 18(b) of the Hindu Marriage Act 1955
(D) No punishment for such marriages

Ans :

(C) Section 18(b) of the Hindu Marriage Act 1955
Explanation: Section 5(iv) of the Hindu Marriage Act, 1955, prohibits marriages between parties who are within the degrees of prohibited relationship, unless custom permits it. Section 18(b) of the Act prescribes the punishment for

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contravening this condition, which is simple imprisonment up to one month, a fine up to one thousand rupees, or both.

36. Which section of the Hindu Marriage Act 1955 provides that a child from a void marriage would be legitimate?
(A) Section 11
(B) Section 13 (a)
(C) Section 12
(D) Section 16

Ans :

(D) Section 16
Explanation: Section 16 of the Hindu Marriage Act, 1955, provides a legal fiction granting legitimacy to children born of void and voidable marriages. It states that any child of such a marriage who would have been legitimate if the marriage had been valid shall be legitimate, though they can only inherit their parents' property.

37. The Land Acquisition Act, 1894 came into force on-
(A) First Day of January, 1894.
(B) First Day of February, 1894.
(C) First Day of March, 1894.
(D) First Day of April, 1894

Ans :

(C) First Day of March, 1894.
Explanation: The Land Acquisition Act, 1894, was a law enacted by the colonial government to acquire land for public purposes. According to its commencement clause, the Act officially came into force on the first day of March, 1894. This Act has since been repealed and replaced by the 2013 Act.

38. Which of the following sentences can the Court of Session pass:
(A) Death Sentence.
(B) Rigorous Imprisonment.
(C) Simple Imprisonment.
(D) Any sentence authorised by law but Death Sentence must be confirmed by the High Court.

Ans :

(D) Any sentence authorised by law but Death Sentence must be confirmed by the High Court.
Explanation: Under Section 28 of the Criminal Procedure Code, 1973, a Sessions Judge or Additional Sessions Judge may pass any sentence authorized by law. However, a crucial procedural safeguard is provided in Section 366, which mandates that any sentence of death passed by such a court must be submitted to the High Court for confirmation.

39. Which of the following is not a requirement for a foreign judgment to be conclusive:
(A) It must be given on merits of the case.
(B) It must be pronounced by a Court of competent jurisdiction.
(C) It was not obtained by fraud.
(D) It is by a court in an enemy country.

Ans :

(D) It is by a court in an enemy country.
Explanation: Section 13 of the Civil Procedure Code lists conditions under which a foreign judgment is NOT conclusive. A, B, and C are conditions for conclusiveness (i.e., their absence makes the judgment non-conclusive). A judgment from an enemy court is not automatically non-conclusive; rather, the key factors are jurisdiction, merits, fraud, and adherence to natural justice.

40. A reference can be made during the pendency of the case:
(A) The Subordinate Court refers the case to the High Court for the latter's opinion on a question of law.
(B) The Subordinate Court refers the case to the High Court for the latter's opinion on a question of evidence.
(C) The Subordinate Court refers the case to the High Court for the latter's opinion on a question of fact.
(D) The Subordinate Court refers the case to the High Court for the Latter's opinion on a question of court procedure.

Ans :

(A) The Subordinate Court refers the case to the High Court for the latter's opinion on a question of law.

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Explanation: Under Section 113 of the Civil Procedure Code, a subordinate court can refer a case to the High Court for its opinion. This reference is made when the court entertains a reasonable doubt on a question of law or the validity of any Act or regulation, the determination of which is necessary for case disposal.

41. A person can apply for review of judgment when
(A) He is aggrieved by a decree/order from which an appeal is allowed, but no appeal has been preferred.
(B) He is aggrieved by a decree/order from which no appeal is allowed.
(C) He is aggrieved by a decision on a reference from a Court of small causes.
(D) All of the above.

Ans :

(D) All of the above.
Explanation: Section 114 and Order 47 of the CPC govern the provision of review. A person can apply for a review of judgment in all the specified situations: when an appeal is permissible but not filed, when no appeal is allowed, or against a decision on a reference from a Small Causes Court.

42. In which of the following cases, the remedy of revision is not available?
(A) Cases in which first appeal lies.
(B) Cases in which second appeal lies.
(C) Interlocutory orders.
(D) All of the above.

Ans :

(D) All of the above.
Explanation: The remedy of revision under Section 115 of the CPC is limited. The proviso to Section 115(1) specifically bars revision against any order if it does not finally dispose of the suit. Moreover, revision is not available where an appeal lies. Therefore, it is generally unavailable for appealable cases and interlocutory orders.

43. The liability under Section 138 of the negotiable instruments act 1881 is
(A) Strict liability
(B) Vicarious liability
(C) Both (1) and (2)
(D) None of the above

Ans :

(A) Strict liability
Explanation: Liability for the dishonor of a cheque under Section 138 of the Negotiable Instruments Act, 1881, is considered a form of strict liability. Once the ingredients of the offense (drawing of cheque, presentation, dishonor, and non-payment after notice) are established, the drawer is held liable without the need to prove a guilty mind (mens rea).

44. The objectives of Land Acquisition Act, 1894 are-
(A) An Act to amend the law for the acquisition of land for public purposes and for industry.
(B) An Act to amend the law for the purchase of land for public purpose and for business.
(C) An Act to amend the law for the possessions of land for public purpose and for manufacturing.
(D) An Act to amend the law for the Acquisition of land for public purposes and for Companies.

Ans :

(D) An Act to amend the law for the Acquisition of land for public purposes and for Companies.
Explanation: The preamble of the Land Acquisition Act, 1894, clearly states its objective. It was enacted to consolidate and amend the law for the acquisition of land needed for public purposes and for companies, and for determining the amount of compensation to be made on account of such acquisition.

45. It deals with the Internal Management and Affairs of company:
(A) Prospectus
(B) Article of Association
(C) Memorandum of Association.
(D) Debenture

Ans :

(B) Article of Association
Explanation: The Articles of Association (AoA) of a company constitute its rulebook for internal management and governance. It outlines the regulations for the company's operations, including the powers of directors, conduct of meetings, and rights of shareholders. The Memorandum of Association, in contrast,

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defines the company's external objectives and scope.

46. Public Liability Insurance Act was enacted in
(A) 1991
(B) 1993
(C) 1995
(D) 1997

Ans :

(A) 1991
Explanation: The Public Liability Insurance Act was enacted in 1991. Its primary objective is to provide immediate relief to persons affected by accidents occurring while handling hazardous substances. The Act mandates that any person handling such substances must take out an insurance policy to cover potential liability for such accidents.

47. Environmental Impact Assessment (EIA) is mandatory under
(A) Indian Forest Act
(B) Air Act
(C) Wildlife Protection Act
(D) Environment Protection Act

Ans :

(D) Environment Protection Act
Explanation: The requirement for an Environmental Impact Assessment (EIA) in India stems from the EIA Notification, which is issued under the powers conferred by the Environment (Protection) Act, 1986. This notification makes it mandatory for specified categories of projects to obtain environmental clearance after undergoing a detailed EIA study.

48. Under which one of the following sections of CrPC, police officer can arrest an accused without warrant?
(A) Section 40
(B) Section 41
(C) Section 42
(D) Section 43

Ans :

(B) Section 41
Explanation: Section 41 of the Criminal Procedure Code, 1973, is the primary provision that empowers a police officer to arrest a person without a warrant. It lists various circumstances under which such an arrest can be made, including the commission of a cognizable offense in the officer's presence or based on credible information.

49. Which one of the following courts, under criminal procedure code, 1973 can try a murder case.
(A) Judicial Magistrate 1st class
(B) Chief Judicial Magistrate
(C) Court of Session
(D) None of the above

Ans :

(C) Court of Session
Explanation: As per the First Schedule of the CrPC, an offense of murder under Section 302 of the IPC is triable exclusively by a Court of Session. While a Magistrate may take cognizance and commit the case, the actual trial can only be conducted by a Sessions Court due to the severity of the offense and potential punishment.

50. Public Interest litigation is relaxation of which of the following requirements:
(A) Jurisdiction
(B) Locus Standi
(C) Both (1) & (2)
(D) None of the Above

Ans :

(B) Locus Standi
Explanation: Public Interest Litigation (PIL) is a significant departure from traditional litigation, primarily through the relaxation of the rule of locus standi. This principle traditionally requires that only a person whose own rights are violated can approach the court. PIL allows any public-spirited individual or organization to file a petition on behalf of the underprivileged or for a public cause.

51. Which of the following is not a case of Public Interest Litigation:
(A) Kesavananda Bharti v. State of Kerala AIR 1973 SC 1461
(B) Vincent Narayan v. Union of India, AIR 1988 SC 889
(C) Union of India v. Association for Democratic Reforms, AIR 2002 SC 2112
(D) Vincent Panikurlangara v. Union of India, AIR 1987 SC 990.

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Ans :

(A) Kesavananda Bharti v. State of Kerala AIR 1973 SC 1461
Explanation: While Kesavananda Bharti was a landmark case concerning constitutional law and the basic structure doctrine, it was a writ petition filed by the head of a religious mutt challenging land reform acts. It was not a Public Interest Litigation in the modern sense, which evolved later. The other cases are classic examples of PILs.

52. Which of the following can be done. by a Senior Advocate in accordance with the Rules of Bar Council of India:
(A) Make concessions on behalf of client on instructions from junior advocate.
(B) Accept instructions to draft a pleading
(C) Accept brief directly from a client
(D) None of the Above

Ans :

(A) Make concessions on behalf of client on instructions from junior advocate.
Explanation: The Bar Council of India Rules place certain restrictions on Senior Advocates. They cannot accept briefs directly from clients or accept instructions to draft pleadings. They must be instructed by an Advocate-on-Record or a junior advocate. They can, however, make concessions in court based on instructions received from the instructing junior advocate.

53. Effect of 'not negotiable' crossing is mentioned under
(A) Section 125
(B) Section 130
(C) Section 131
(D) Section 128

Ans :

(B) Section 130
Explanation: Section 130 of the Negotiable Instruments Act, 1881, explains the effect of a 'not negotiable' crossing on a cheque. It states that a person taking a cheque so crossed shall not have, and shall not be capable of giving, a better title to the cheque than that which the person from whom he took it had.

54. Section 16 of negotiable instrument defines
(A) Restrictive endorsement
(B) Conditional endorsement
(C) Indorsement "in full" and Indorsement "in blank"
(D) All of the above

Ans :

(C) Indorsement "in full" and Indorsement "in blank"
Explanation: Section 16 of the Negotiable Instruments Act, 1881, deals with the types of indorsements. It defines an "indorsement in blank" where the indorser simply signs their name, and an "indorsement in full" where the indorser signs and directs the payment to a specified person. Other sections deal with restrictive or conditional endorsements.

55. Ensuring the safety, health and welfare of the employees is the primary purpose of the:
(A) Payment of wages Act, 1936
(B) Industrial Dispute Act, 1947
(C) Factories Act, 1948
(D) Equal Remuneration Act, 1976

Ans :

(C) Factories Act, 1948
Explanation: The Factories Act, 1948, is a social welfare legislation with the primary objective of regulating working conditions in factories. It contains detailed provisions to ensure the safety of workers from accidents, protect their health from hazardous processes, and promote their general welfare by mandating facilities like canteens and restrooms.

56. In which case Supreme Court held that whether teachers are not workmen?
(A) Dharangadhara Chemical work Ltd. V/S State of Saurashtra, AIR 1957 Section 264.
(B) University of Delhi V/s Ram Nath, AIR 1963 Section 1873
(C) J.K Cotton Spinning and Weaving Mills Co. Ltd. V/s. L.T AIR 1964 Section 737
(D) Sunderambal V/S Government of Goa, AIR (1988) Section 1700.

Ans :

(D) Sunderambal V/S Government of Goa, AIR (1988) Section 1700.
Explanation: In A. Sundarambal v. Government of Goa, Daman and Diu, the Supreme Court held that teachers employed in schools are

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not 'workmen' under the Industrial Disputes Act, 1947. The court reasoned that the work of a teacher is not manual, skilled, unskilled, technical, operational, or clerical, and teaching is a noble profession, not an industry.

57. Under Section 2 (cc) of the Industrial Dispute Act, 1947 'Closure' means:
(A) The permanent closing down of a place of employment or part thereof.
(B) The partly closing down of a place of employment or part thereof.
(C) The temporary closing down of a place of employment or part thereof.
(D) The short-term closing down of a place of employment or part of thereof.

Ans :

(A) The permanent closing down of a place of employment or part thereof.
Explanation: Section 2(cc) of the Industrial Disputes Act, 1947, explicitly defines 'closure'. According to this definition, closure means the permanent closing down of a place of employment or a part of an establishment. Temporary or partial closures do not fall under this specific legal definition within the Act.

58. If it is proved that a man has not been heard of for __ by those who would naturally have heard of him if he were alive, the presumption under section 108 of the Indian Evidence Act is that he is dead:
(A) 5 year
(B) 7 year
(C) 15 year
(D) 20 year

Ans :

(B) 7 year
Explanation: Section 108 of the Indian Evidence Act, 1872, deals with the presumption of death. It states that when the question is whether a man is alive or dead, and it is proved that he has not been heard of for seven years by those who would naturally have heard of him, the burden of proving he is alive shifts.

59. A dumb witness given his evidence in writing in the open court, such evidence would be treated as
(A) Oral evidence
(B) Documentary evidence
(C) Secondary evidence.
(D) Primary evidence

Ans :

(A) Oral evidence
Explanation: The explanation to Section 119 of the Indian Evidence Act clarifies this point. Evidence given by a witness who is unable to speak, if given in writing or by signs in open court, is deemed to be oral evidence. The mode of communication does not change the nature of the evidence from oral to documentary.

60. Which of the following is not a public document?
(A) Bank Books
(B) Post-Mortem Report
(C) Judgement of the High Court
(D) Registered Sale Deed

Ans :

(A) Bank Books
Explanation: Under Section 74 of the Indian Evidence Act, public documents include records of sovereign authorities, official bodies, and public records of private documents kept in a State. Judgments, post-mortem reports, and registered sale deeds fall under this category. Private bank books, however, are considered private documents, not public ones.

61. Under which one of the following section of CrPC, police officer is under obligation to inform the accused ground of right to bail.
(A) Section 49
(B) Section 50
(C) Section 57
(D) Section 60

Ans :

(B) Section 50
Explanation: Section 50(2) of the Criminal Procedure Code, 1973, mandates that where a police officer arrests a person without a warrant for an offense other than a non-bailable offense, he shall inform the person arrested that he is entitled to be released on bail and that he may arrange for sureties on his behalf.

62. Under what circumstance court can issue an order for the attachment of property of person absconding;

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(A) Where the person to whom proclamation is issued is about to dispose of the whole of his property
(B) Where the person to whom proclamation is issued is about to dispose of any part of his property
(C) Where the person to whom proclamation is issued is about to remove the whole or any part of his property from the local jurisdiction of the court
(D) All of the above

Ans :

(D) All of the above
Explanation: Section 83 of the CrPC allows a court that has issued a proclamation under Section 82 to order the attachment of the absconding person's property. This order can be made if the court is satisfied that the person is about to dispose of or remove their property from the court's jurisdiction.

63. Inherent Power under section 482 CrPC can be exercised by.
(A) The Supreme Court
(B) The Court of Session
(C) The High Court
(D) All of the above

Ans :

(C) The High Court
Explanation: Section 482 of the Criminal Procedure Code, 1973, explicitly saves the inherent powers of the High Court. It states that nothing in the Code shall be deemed to limit or affect the inherent powers of the High Court to make such orders as may be necessary to give effect to any order under the Code or to prevent abuse of the process.

64. Residuary Powers in India may be exercised by
(A) Parliament
(B) State Legislatures
(C) President
(D) Both (1) & (2)

Ans :

(A) Parliament
Explanation: Article 248 of the Indian Constitution grants residuary powers of legislation to the Parliament. It states that Parliament has the exclusive power to make any law with respect to any matter not enumerated in the Concurrent List or State List. This ensures that any subject not mentioned in the three lists falls under the Union's legislative competence.

65. The Punishments to which offenders are liable under the provision of I.P.C are:
(A) Death and imprisonment for life
(B) Rigorous imprisonment and simple imprisonment
(C) Forfeiture of property and fine
(D) All of the above

Ans :

(D) All of the above
Explanation: Section 53 of the Indian Penal Code, 1860, enumerates the various punishments to which offenders are liable. This list includes death, imprisonment for life, rigorous imprisonment, simple imprisonment, forfeiture of property, and fine. Therefore, all the options listed are valid forms of punishment under the IPC.

66. M' Naughten Rules form the basis of the law of:
(A) Infancy
(B) Insanity
(C) Ignorance of fact
(D) Mistake

Ans :

(B) Insanity
Explanation: The M'Naghten Rules, originating from an English case, are foundational to the legal test for the defense of insanity. These rules established that a person is not criminally responsible if, at the time of committing the act, they were laboring under such a defect of reason, from disease of the mind, as not to know the nature and quality of the act.

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67. 'Rule of Law' means
(A) Equality before the Law
(B) Supremacy of the Law
(C) Predominance of legal spirit
(D) All of the above

Ans :

(D) All of the above
Explanation: The concept of the 'Rule of Law', as expounded by A.V. Dicey, comprises three main principles. These are the supremacy of law (no

one can be punished except for a breach of law), equality before the law (equal subjection of all citizens to ordinary law), and the predominance of legal spirit.

68. The purpose of writ of 'Quo warranto' is?
(A) To restraint public authority to do illegal act
(B) To compel public authority to perform duty
(C) To oust illegal occupant of a public post
(D) All of the above

Ans :

(C) To oust illegal occupant of a public post
Explanation: The writ of Quo Warranto, which translates to 'by what authority', is issued by a court to inquire into the legality of a person's claim to a public office. Its purpose is to prevent a person from illegally holding a public office they are not entitled to and to remove them from that position.

69. Under the Indian Evidence Act, the character of a person is not relevant in which of the following cases
(A) Previous good character of an accused in criminal case
(B) Previous bad character in reply to good character in criminal case.
(C) Character to prove conduct imputed in civil case
(D) Character affected the amount of damage in civil case

Ans :

(C) Character to prove conduct imputed in civil case
Explanation: Section 52 of the Indian Evidence Act states that in civil cases, the character of any person concerned is not relevant to prove any conduct imputed to him. However, Sections 53 and 54 make character relevant in criminal cases, and Section 55 makes it relevant in civil cases for determining the amount of damages.

70. Which one of the following is primary evidence
(A) Document produced for the inspection of the court
(B) Copies made from original
(C) Certified copies of the document
(D) Photostat copies of a document

Ans :

(A) Document produced for the inspection of the court
Explanation: According to Section 62 of the Indian Evidence Act, primary evidence means the document itself produced for the inspection of the court. All other forms, such as certified copies, copies made from the original, or photocopies, are considered secondary evidence and are admissible only under specific conditions outlined in the Act.

71. From which of the following countries, the Constitution of India has borrowed the 'Power of Judicial Review'?
(A) Canada
(B) United Kingdom
(C) USA
(D) Ireland

Ans :

(C) USA
Explanation: The concept of judicial review, which empowers the judiciary to examine the constitutionality of legislative enactments and executive orders, was borrowed by the framers of the Indian Constitution from the Constitution of the United States of America. It is a cornerstone of the American constitutional system, established in Marbury v. Madison.

72. Enforcement of which of the following articles of the Constitution of India cannot be suspended even during the proclamation of emergency?
(A) 14 & 19
(B) 20 & 21
(C) 23 &24
(D) 21 & 22

Ans :

(B) 20 & 21
Explanation: Article 359 of the Constitution, as amended by the 44th Amendment Act, 1978, explicitly states that the President cannot suspend the right to move any court for the enforcement of the fundamental rights guaranteed by Article 20 (protection in respect of conviction for offenses) and Article 21 (protection of life and personal liberty).

73. Which of the following fact is not relevant in civil and criminal cases under Section 8 of the Indian Evidence Act

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(A) Motive
(B) Attempt
(C) Conduct
(D) Preparation

Ans :

(B) Attempt
Explanation: Section 8 of the Indian Evidence Act makes facts showing or constituting a motive, preparation, and previous or subsequent conduct relevant. While an "attempt" to commit a crime is a crucial stage in criminal law, the term itself is not listed as a specifically relevant fact under Section 8, unlike motive, preparation, and conduct.

74. BATNA Stands for:
(A) Bilateral agreement to negotiation and arbitration
(B) Best alternative to a negotiated agreement
(C) Bilateral Trade negotiated agreement
(D) None of the above

Ans :

(B) Best alternative to a negotiated agreement
Explanation: BATNA is a key concept in negotiation theory and stands for "Best Alternative To a Negotiated Agreement." It refers to the most advantageous course of action a party can take if negotiations fail and an agreement cannot be reached. Understanding one's BATNA is crucial for effective negotiation strategy.

75. Section 9 of the Arbitration and Conciliation Act, 1996 deals with
(A) Interim measures by the court
(B) Discretionary powers of the court
(C) Both (1) & (2)
(D) None of the above

Ans :

(A) Interim measures by the court
Explanation: Section 9 of the Arbitration and Conciliation Act, 1996, empowers a party to apply to a court for certain interim measures of protection. This can be done before, during the arbitral proceedings, or even after the award is made but before it is enforced. These measures aim to preserve the subject matter of the dispute.

76. Which one of the following is true about Latin Maxim 'Ubi Jus Ibi remedium'?.
(A) Where there is right, there is remedy.
(B) Where there is remedy, there is right.
(C) Both (1) & (2)
(D) None of the Above

Ans :

(A) Where there is right, there is remedy.
Explanation: The legal maxim Ubi Jus Ibi Remedium translates to "Where there is a right, there is a remedy." It is a foundational principle of tort law, signifying that if a person's legal right is violated, the law provides a remedy to enforce it or to seek compensation for the infringement.

77. The Latin word 'Injuria Sine Damnum' Literally means:
(A) Infringement of legal right without damages.
(B) Damages without Infringement of legal right.
(C) Both (1) & (2)
(D) All of the above

Ans :

(A) Infringement of legal right without damages.
Explanation: Injuria sine damno means "injury without damage." It refers to a situation where a person's legal right (like the right to vote or right to property) is violated, but this violation does not cause any actual financial loss or harm. Such an infringement of a legal right is actionable in a court of law.

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78. The Provision relating to claims Tribunal is given under __ of Motor Vehicles Act:
(A) Section 165-175
(B) Section 175-180
(C) Section 170-175
(D) Section 171-177

Ans :

(A) Section 165-175
Explanation: Chapter XII of the Motor Vehicles Act, 1988, deals with Claims Tribunals. Section 165 provides for the constitution of Motor Accidents Claims Tribunals for adjudicating upon claims for compensation in respect of accidents involving death or bodily injury. The

subsequent sections, up to 175, outline their procedures and powers.

79. Which of the following is not a duty of an Advocate to Court:
(A) To not commit breach of section 126 of Evidence Act.
(B) To not to appear on behalf of any organisation of whose Executive Committee, he is a member.
(C) To not appear before a Court, Tribunal or Authority in which his near relation is a member.
(D) To conduct himself with dignity and self-respect during presentation of a case before a Court and otherwise acting before a Court.

Ans :

(A) To not commit breach of section 126 of Evidence Act.
Explanation: The duty under Section 126 of the Evidence Act (privilege of professional communication) is a duty an advocate owes to their client, not the court. The other options are duties towards the court as prescribed by the Bar Council of India Rules, which regulate an advocate's conduct to maintain judicial decorum and avoid conflicts of interest.

80. Which of the following rules of Chapter II of Part VI of the Bar Council Rules deal with the duty of an Advocate in respect of any moneys received by him from Client:
(A) Rule 25
(B) Rule 33
(C) Rule 24
(D) None of the Above

Ans :

(A) Rule 25
Explanation: Rule 25 in Section II of Chapter II, Part VI of the Bar Council of India Rules outlines the specific duties of an advocate regarding client funds. It mandates that an advocate must keep accounts of the client's money entrusted to him and provide a copy of such accounts to the client.

81. Under which of the following sections of CrPC provisions relating to police report is given?
(A) Section 173 (2) (i)
(B) Section 177
(C) Section 174 (2) (i)
(D) Section 175

Ans :

(A) Section 173 (2) (i)
Explanation: Section 173 of the CrPC deals with the report of a police officer upon completion of an investigation. Specifically, Section 173(2) mandates that the officer in charge of the police station shall forward a report to a Magistrate empowered to take cognizance, detailing the findings of the investigation.

82. Which one of the following provisions of CrPC deals with anticipatory bail?
(A) Section 437
(B) Section 438
(C) Section 439
(D) None of the above

Ans :

(B) Section 438
Explanation: Section 438 of the Criminal Procedure Code, 1973, contains the provision for granting anticipatory bail. It empowers the High Court and the Court of Session to issue a direction that in the event of an arrest, a person shall be released on bail if they have reason to believe they may be arrested on an accusation of having committed a non-bailable offense.

83. The provision relating to cancellation of bond and bail bond is given under:
(A) Section 446-A
(B) Section 446
(C) Section 447
(D) Section 450

Ans :

(A) Section 446-A
Explanation: Section 446-A of the CrPC specifically provides for the cancellation of a bond and bail bond. It states that without prejudice to the provisions of Section 446 (procedure when bond has been forfeited), if a bond for appearance is forfeited due to a breach, the court can cancel the bond and call upon the person to pay the penalty.

84. Which of the following provisions of the Hindu Marriage Act, 1955 incorporates the fault theory of divorce?

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(A) Section 13(1)
(B) Section 11
(C) Section 13B
(D) Section 13 (2)

Ans :

(A) Section 13(1)
Explanation: The fault theory of divorce requires one party to prove a "fault" or matrimonial offense by the other party. Section 13(1) of the Hindu Marriage Act, 1955, lists these fault-based grounds, such as adultery, cruelty, and desertion. In contrast, Section 13B deals with divorce by mutual consent, which is based on the breakdown theory.

85. Under the Hindu Maintenance and Adoption Act, 1956, which of the both following circumstances can a dependent enforce his right to maintenance against a transferee of an estate out of which he has a right to receive main1tenance:2
(A) Only when the Transferee has notice of such right.3
(B) Only when the transfer is gratuitous.4
(C) Both5 (1) & (2)
(D) None of the above.

Ans :

(C) Both (1) & (2)
Explanation: Section 28 of the Hindu Adoptions and Maintenance Act, 1956, states that a dependent's right to maintenance can be enforced against the transferee of an estate. This is possible if the transfer is gratuitous (e.g., a gift) or if the transferee has notice of the right, meaning they were aware of the maintenance claim.

86. Which of the following Courts/ Tribunals cannot entertain a Public Interest Litigation:
(A) Supreme Court
(B) High Court
(C) Central Administrative Tribunal
(D) None of the Above

Ans :

(C) Central Administrative Tribunal
Explanation: The jurisdiction to entertain Public Interest Litigations is vested in the constitutional courts, namely the Supreme Court under Article 32 and the High Courts under Article 226. The Central Administrative Tribunal (CAT) is a statutory body with a specific jurisdiction limited to service matters of government employees and cannot entertain a PIL.

87. 'Mesne Profits' of property means:
(A) Those profits by which the person in wrongful possession of such property actually received or might have received there from, together with interest on such profits.
(B) The profits due to improvements made by person in wrongful possession.
(C) Both (1) & (2)
(D) None of the above.

Ans :

(A) Those profits by which the person in wrongful possession of such property actually received or might have received there from, together with interest on such profits.
Explanation: Section 2(12) of the Civil Procedure Code defines 'mesne profits'. It refers to the profits which the person in wrongful possession of a property actually received or could have received with ordinary diligence, along with interest. It explicitly excludes profits due to improvements made by the person in wrongful possession.

88. Which of the following is not a legal representative?
(A) Executor and administrators.
(B) Hindu coparceners.
(C) Creditor
(D) Intermeddler

Ans :

(C) Creditor
Explanation: As defined in Section 2(11) of the CPC, a "legal representative" is a person who in law represents the estate of a deceased person. This includes executors, administrators, and those who intermeddle with the estate. A creditor, however, has a claim against the estate but does not legally represent it.

89. The provisions relating to dowry is given under:
(A) Section 304-B of the I.P.C
(B) Section 304-A of the I.P.C
(C) Section 304 of the I.P.C
(D) Section 305-B of the I.P.C

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(D) None of the Above

Ans :

(C) 1860
Explanation: Income tax was introduced for the first time in India in 1860 by Sir James Wilson, who was the Finance Member in the Viceroy's Executive Council. This tax was levied to meet the heavy financial losses incurred by the British government during the Sepoy Mutiny of 1857.

27. Under section 118 of the Indian evidence act, a person is a competent witness if he or she-
(A) Is a major
(B) Is not lunatic
(C) Is not of extreme old age
(D) of understanding questions put to him and giving rational answers irrespective of age

Ans :

(D) of understanding questions put to him and giving rational answers irrespective of age
Explanation: Section 118 of the Indian Evidence Act states that all persons are competent to testify unless the court considers that they are prevented from understanding the questions put to them, or from giving rational answers, due to tender years, extreme old age, disease, or any other cause. The core test is understanding and rational response, not age or sanity per se.

28. Which of the following judgement is irrelevant under section 43 of Indian evidence act
(A) Judgement of an insolvency court
(B) Judgement of criminal court
(C) Judgement of matrimonial court
(D) Judgement of probate court

Ans :

(B) Judgement of criminal court
Explanation: Section 43 states that judgments, orders, or decrees, other than those mentioned in sections 40, 41, and 42, are irrelevant unless their existence is a fact in issue or relevant under some other provision. Judgments of insolvency, matrimonial, and probate courts are judgments in rem under Section 41 and are relevant. A typical criminal court judgment is usually a judgment in personam and irrelevant in a subsequent civil suit.

29. Under which section of the Indian evidence act a witness has been given right to refresh his memory
(A) Section 157
(B) Section 158
(C) Section 159
(D) Section 160

Ans :

(C) Section 159
Explanation: Section 159 of the Indian Evidence Act, 1872, allows a witness, while under examination, to refresh their memory by referring to any writing made by themselves at the time of the transaction or soon afterwards. The witness can also refer to a copy if the original cannot be produced.

30. The provision relating to free legal aid is given under
(A) Section 301
(B) Section 304
(C) Section 303
(D) Section 305

Ans :

(B) Section 304
Explanation: Section 304 of the Criminal Procedure Code, 1973, provides for legal aid to an accused at state expense in certain cases. It mandates that where an accused is not represented by a pleader in a trial before the Court of Session, and it appears the accused has insufficient means, the court shall assign a pleader for their defense.

31. Under Which one of the following provisions of Cr.P.C police officer is under an obligation to produce the person arrested before a magistrate within 24 hours of the arrest
(A) Section 56
(B) section 57
(C) Section 60
(D) Section 70

Ans :

(B) section 57
Explanation: Section 57 of the CrPC lays down this crucial procedural safeguard. It provides that no police officer shall detain in custody a person arrested without a warrant for a longer period than, under all the circumstances of the

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(D) Section 2(1) (d)

Ans :

(D) Section 2(1) (d)
Explanation: Section 2(1)(d) of the now-repealed Consumer Protection Act, 1986, provided the definition of a "consumer". It defined a consumer as any person who buys any goods or hires any services for a consideration, but excluded persons who obtained goods for resale or for any commercial purpose.

96. The principle of Law of Taxation that "No tax shall be levied or collected except by authority of law". It is contained under
(A) Article 265 of the constitution
(B) Article 300 of the constitution
(C) Article 19(1)(g) of the constitution
(D) Article 285 of the constitution

Ans :

(A) Article 265 of the constitution
Explanation: Article 265 of the Constitution of India enshrines this fundamental principle of taxation. It explicitly states, "No tax shall be levied or collected except by authority of law." This means that every tax must be backed by a valid law passed by the legislature, ensuring there is no arbitrary taxation by the executive.

97. Under which section of Income Tax Act" Income of other persons are. included in assesses total income"
(A) Sections 56-58
(B) Sections 139-147
(C) Section 246-262
(D) Section 60-65

Ans :

(D) Section 60-65
Explanation: Sections 60 to 65 of the Income Tax Act, 1961, contain provisions for the clubbing of income. These sections specify the circumstances under which the income of another person (like a spouse or minor child) is included in the total income of an individual assessee for the purpose of calculating income tax.

98. Which one of the following sentence is correctly method?
(A) In India, consideration must follow from promisee only.
(B) In India, consideration must follow from only promisor or only promisee.
(C) In India, consideration must follow from promisor or any other person.
(D) In India, consideration must follow from promisee or any other person

Ans :

(D) In India, consideration must follow from promisee or any other person
Explanation: According to Section 2(d) of the Indian Contract Act, 1872, consideration can move from the promisee or "any other person." This is a notable departure from English law, where consideration must move from the promisee only. This principle was affirmed in the case of Chinnaya v. Ramayya.

99. Assertion (A): Collateral transactions to wagering are valid.
Reason (R): only wagering agreements are declared void under section 30 of the Indian contract Act.
(A) (A) is true, but (R) is false.
(B) (A) is false, but (R) is true.
(C) Both (A) and (R) are true, but (R) is not correct explanation of (A)
(D) Both (A) and (R) are true, and (R) is correct explanation of (A)

Ans :

(D) Both (A) and (R) are true, and (R) is correct explanation of (A)
Explanation: Section 30 of the Indian Contract Act declares wagering agreements to be void, but it does not make them illegal. Therefore, transactions that are collateral or ancillary to a wagering agreement (like a loan to pay a gambling debt) remain valid. The reason correctly states the legal position, which directly explains why collateral transactions are valid.

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100. Term 'holder' include
(A) The payee
(B) The bearer
(C) The endorsed
(D) All of the above

Ans :

(D) All of the above
Explanation: Section 8 of the Negotiable Instruments Act, 1881, defines a "holder" as

Explanation: Section 320 of the Criminal Procedure Code, 1973, deals with the compounding of offenses. It provides a comprehensive list of offenses from the Indian Penal Code that can be compounded (settled) by the parties. Some offenses can be compounded without the court's permission, while others require the court's approval.

6. What is the time limit under section 468 of Cr. P.C for taking cognizance:
(A) One year
(B) Two years
(C) Three years
(D) No limit

Ans :

(C) Three years
Explanation: Section 468 of the CrPC prescribes the period of limitation for taking cognizance of certain offenses. For an offense punishable with imprisonment for a term exceeding one year but not exceeding three years, the period of limitation is three years. The question doesn't specify the offense, but three years is the maximum limit mentioned in the section.

7. "Industrial establishment" means--
i. A factory
ii. A mine
iii. A plantation
iv. An industry
(A) (i), (ii), (iii), (iv)
(B) (i), (ii), (iii)
(C) (i) and (ii)
(D) only (i)

Ans :

(B) (i), (ii), (iii)
Explanation: Under Section 2(ka) of the Industrial Disputes Act, 1947, an "industrial establishment" or undertaking includes an establishment or undertaking which is a factory, mine, or plantation. The term 'industry' itself is defined separately and more broadly under Section 2(j) and is not part of the definition of "industrial establishment."

8. Strike should be called only if at least ..... percent of workers are in support of strike. (Fill in the blank).
(A) 10
(B) 15
(C) 20
(D) 25

Ans :

(B) 15
Explanation: The question seems to refer to specific rules or standing orders which can vary, but generally, a certain threshold of worker support is required. While the Industrial Disputes Act doesn't specify a percentage for calling a strike, rules under various state laws or codes of discipline often suggest a ballot where a certain percentage of workers' support is needed to make a strike call legitimate. The provided answer key indicates 15%.

9. Industrial relations cover the following area(s):
(i) Collective bargaining
(ii) Labour legislation
(iii) Industrial relations training
(iv) Trade unions
(A) (i)
(B) (i) and (ii)
(C) (i), (ii) and (iii)
(D) (i), (ii), (iii) and (iv)

Ans :

(D) (i), (ii), (iii) and (iv)
Explanation: Industrial relations is a broad field concerning the relationship between employers and employees. It comprehensively covers the regulation of this relationship through labour legislation, the role of collective bodies like trade unions, the process of collective bargaining, and training to improve relations and resolve disputes. All listed areas are integral components.

10. State of U.P. Vs. Nawab Hussain, 1977 SCR (3) 428 relates to:
(A) Res subjudice.
(B) Res judicata.
(C) Constructive resjudicata
(D) Deemed rejudicata

Ans :

(C) Constructive resjudicata
Explanation: In State of U.P. v. Nawab Hussain, the Supreme Court applied the principle of constructive res judicata. It held that if a party could have raised a matter in a previous

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ALL INDIA BAR EXAMINATION XIII

1. Which one of the following sections of Cr.P.C deals with examination of person accused of rape by medical practitioner
(A) Section 54-A
(B) Section 55-A
(C) Section 53-A
(D) Section 60-A

Ans :

(C) Section 53-A
Explanation: Section 53-A of the Criminal Procedure Code, 1973, specifically provides for the examination of a person accused of rape by a registered medical practitioner. This examination is conducted at the request of a police officer to ascertain facts which may afford evidence, and a detailed report of the examination must be prepared.

2. According to section 167 of the Cr.P.C an accused person can be remanded to police custody for not more than.
(A) 7 days at one time
(B) 30 days at one time
(C) 15 days at one time
(D) 60 days at one time

Ans :

(C) 15 days at one time
Explanation: Section 167 of the CrPC governs the procedure when an investigation cannot be completed within 24 hours. It empowers a Magistrate to authorize the detention of an accused in police custody. The proviso to Section 167(2) explicitly limits this period of police custody to a maximum of fifteen days in total.

3. A communication made to the spouse during marriage, under section 122 of the Indian evidence act-
(A) Remains privileged even after dissolution of marriage
(B) Does not remain privileged after dissolution of marriage only by divorce
(C) Does not remain privileged after dissolution of marriage only by death
(D) Does not remain privileged in both the case (b) and (c)

Ans :

(A) Remains privileged even after dissolution of marriage
Explanation: Section 122 of the Indian Evidence Act protects communications made between spouses during their marriage. This privilege is absolute and continues even after the marriage has been dissolved by divorce or death. The objective is to preserve the trust and confidence essential to the marital relationship, and this protection is perpetual.

4. Which section of the Indian Evidence act provides that an accomplice is a competent witness
(A) Section 114 illustration (B)
(B) Section 118
(C) Section 133
(D) Section 134

Ans :

(C) Section 133
Explanation: Section 133 of the Indian Evidence Act explicitly declares that an accomplice is a competent witness against an accused person. While Section 114, Illustration (b) advises that a court may presume an accomplice is unworthy of credit unless corroborated, this is a rule of prudence, not law. Section 133 establishes their legal competency to testify.

5. Which one of the following sections of Cr. P.C deals with compoundable offence?
(A) Section 319
(B) Section 320
(C) Section 321
(D) Section 324

Ans :

(B) Section 320

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Companies Act, 1956 (1 of 1956), other than a Government company referred to in clause (c);

Ans :

(A) a company as defined in section 3 of the Companies Act, 1956, other than a Government company referred to in clause(cc);
Explanation: Section 3(e) of the Land Acquisition Act, 1894 defined the term "Company". It included companies defined under the Companies Act, societies registered under the Societies Registration Act, 1860, and co-operative societies. The reference was to Section 3 of the Companies Act, 1956, which defined various types of companies.

16. Under which Section of Income tax Act, 1961 'Income of other persons included in Assesses total income'
(A) 56-58
(B) 60-65
(C) 45-54
(D) All of the Above

Ans :

(B) 60-65
Explanation: Sections 60 to 65 of the Income Tax Act, 1961, contain the provisions for the clubbing of income. These sections specify the circumstances under which the income of another person (such as a spouse, minor child, or son's wife) is included or "clubbed" into the total income of an assessee for tax calculation purposes.

17. A period of 12th Months commencing on the 1st day of April of every year is known As:
(A) Assessment year
(B) Leap year
(C) Previous year
(D) None

Ans :

(A) Assessment year
Explanation: Under Section 2(9) of the Income Tax Act, 1961, the "assessment year" is defined as the period of twelve months commencing on the 1st day of April every year. It is the year immediately following the financial year (or previous year) in which the income earned in the previous year is assessed to tax.

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18. which Section of the information technology (amendment) Act, 2008 deals with the validity of contracts formed through electronic means:
(A) Section 12
(B) Section 10A
(C) Section 11
(D) Section 13

Ans :

(B) Section 10A
Explanation: Section 10A was inserted into the Information Technology Act, 2000, by the 2008 amendment. This section gives express legal validity to contracts formed through electronic means. It states that a contract shall not be deemed unenforceable solely on the ground that electronic communication was used for its proposal, acceptance, or revocation.

19. Which of the following is essential for a valid adoption under the Hindu Marriage Act, 1955?
(A) Datta homam
(B) Actual giving and taking of child
(C) Both (a) and (b)
(D) None of the Above

Ans :

(B) Actual giving and taking of child
Explanation: The question mistakenly refers to the Hindu Marriage Act; adoption is governed by the Hindu Adoptions and Maintenance Act, 1956. Under Section 11(vi) of this Act, the ceremony of "actual giving and taking of the child" is an essential requirement for a valid adoption. Datta homam is not mandatory.

20. Hindu male can adopt a female child, if the difference of age between the two is of more than
(A) 15 years
(B) 18 years
(C) 20 years
(D) 21 years

Ans :

(D) 21 years
Explanation: According to Section 11(iii) of the Hindu Adoptions and Maintenance Act, 1956, if a male is adopting a female child, the adoptive father must be at least twenty-one years older than the person to be adopted. This

proceeding (a writ petition in this case) but failed to do so, they are barred from raising it in a subsequent suit.

11. X is living in Pune and Y, his brother in Mumbai, X wants to file a suit for partition of their joint property situated in Delhi and Bangalore.
(A) The suit may be instituted in Delhi only.
(B) The suit may be instituted in Bangalore only.
(C) The suit may be instituted either in Delhi or Bangalore.
(D) None of the above.

Ans :

(C) The suit may be instituted either in Delhi or Bangalore.
Explanation: According to Section 17 of the Civil Procedure Code, 1908, a suit for partition of immovable property situated within the jurisdiction of different courts may be instituted in any court within whose local jurisdiction any portion of the property is situated. Therefore, the suit can be filed in either Delhi or Bangalore.

12. An immovable property held by Y is situated at Bhopal and the wrongdoer personally works for gain at Indore. A Suit to obtain compensation for wrong to the property may be instituted.
(A) At Bhopal
(B) At Indore
(C) Either at Bhopal or at Indore
(D) None of these

Ans :

(C) Either at Bhopal or at Indore
Explanation: As per Section 16(e) of the CPC, a suit for compensation for wrong to immovable property shall be instituted where the property is situated. However, the proviso to Section 16 allows the suit to also be filed where the defendant resides or works for gain, provided the relief can be entirely obtained through their personal obedience.

13. which of the following section of the motor vehicle Act 1988 defines the term 'Owner'?
(A) Section 2 (30)
(B) Section 2 (31)
(C) Section 2 (25)
(D) Section2 (32)

Ans :

(A) Section 2 (30)
Explanation: Section 2(30) of the Motor Vehicles Act, 1988 provides the definition of "owner". It defines an owner as the person in whose name the motor vehicle is registered. In cases where the vehicle is subject to a hire-purchase or lease agreement, the person in possession of the vehicle under that agreement is deemed the owner.

14. Under Land Acquisition Act, 1894 an industrial concern, ordinarily, employing not less than .....Workmen owned by an individual or by an association of individuals and not being a Company, desiring to acquire land for the erection of dwelling houses for workmen employed by the concern or for the provision of amenities directly connected therewith shall, so far as concerns the Acquisition of such land, be deemed to be a company for the purpose of this part...Fill in the blanks:
(A) One Hundred
(B) Two Hundred
(C) Three Hundred
(D) Four Hundred

Ans :

(A) One Hundred
Explanation: Section 40(1)(aa) of the Land Acquisition Act, 1894 (now repealed) contained this provision. It specified that an industrial concern employing not less than one hundred workmen could be deemed a 'company' for the limited purpose of acquiring land for providing housing and amenities for its workers, enabling the use of the Act's acquisition powers.

15. Under Land Acquisition Act, 1894 the expression "Company" means-
(A) a company as defined in section 3 of the Companies Act, 1956, other than a Government company referred to in clause(cc);
(B) a company as defined in section 2 of the Companies Act, 1956, other than a Government company referred to in clause (c)
(C) a company as defined in section 1 of the Companies Act, 1956(1 of 1956) other than a Government referred to in clause (cc):
(D) accompany as defined in section 6 of the

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Ans :

(A) Section 304-B of the I.P.C
Explanation: Section 304-B of the Indian Penal Code specifically deals with the offense of "dowry death." It creates a legal presumption of dowry death if a woman dies of burns or bodily injury under unnatural circumstances within seven years of her marriage, and it's shown that she was subjected to cruelty for dowry.

90. Which of the following section is designed to curb infanticide:
(A) Section 317 of the I.P.C
(B) Section 313 of the I.P.C
(C) Section 318 of the I.P.C
(D) Section 315 of the I.P.C

Ans :

(D) Section 315 of the I.P.C
Explanation: Section 315 of the IPC is specifically designed to prevent infanticide. It criminalizes any act done with the intent to prevent a child from being born alive or to cause it to die after birth. It targets actions taken before a child is born that are intended to ensure its death post-birth.

91. Which order has been specially enacted to protect the interest of Minors and Unsound Mind:
(A) Order 31
(B) Order 32
(C) Order 33
(D) Order 34

Ans :

(B) Order 32
Explanation: Order 32 of the Civil Procedure Code lays down the detailed procedure for suits by or against minors and persons of unsound mind. It ensures that their interests are protected by mandating that they must be represented in a suit by a "next friend" or a "guardian ad litem".

92. Which order of the CPC lays down general rules governing pleadings in a court?
(A) Order 6
(B) Order 7
(C) Order 8
(D) Order 9

Ans :

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(A) Order 6
Explanation: Order 6 of the Civil Procedure Code contains the fundamental rules of pleading. It defines what "pleading" means (plaint or written statement) and sets out the basic principles, such as stating material facts and not evidence, being concise, and signing and verifying the pleadings. Order 7 deals specifically with the plaint, and Order 8 with the written statement.

93. Second appeal under section 100 is applicable:
(A) Substantial question of law as formulated by the High Court
(B) Substantial question of law as not formulated by the High Court
(C) An appellate decree passed Ex Parte
(D) All of the above

Ans :

(A) Substantial question of law as formulated by the High Court
Explanation: Section 100 of the CPC states that a second appeal shall lie to the High Court from an appellate decree only if the High Court is satisfied that the case involves a "substantial question of law." The High Court is required to formulate this question, and the appeal is heard on that question.

94. The Consumer Protection Act, 1986 come into effect on
(A) 24th August 1986
(B) 15th April 1986
(C) 24th May 1986
(D) 24th December 1986

Ans :

(D) 24th December 1986
Explanation: The Consumer Protection Act, 1986, was a landmark legislation that received the President's assent on December 24, 1986. This date is recognized as the day it came into effect and is celebrated as National Consumer Rights Day in India. The Act has since been replaced by the Consumer Protection Act, 2019.

95. Which one of the following sections of Consumer Protection Act, 1986 defines the term 'Consumer'?
(A) Section 2(1) (a)
(B) Section 2(1) (b)
(C) Section 2(1) (c)

age difference is a mandatory condition for the validity of such an adoption.

21. Which of the following relations is not dependent under Section 21 of the Hindu Adoption and maintenance Act 1956?
(A) Grand Mother
(B) Mother
(C) Widow
(D) Daughter

Ans :

(D) Daughter
Explanation: Section 21 of the Hindu Adoptions and Maintenance Act, 1956 lists the relatives who are considered "dependants" of a deceased Hindu. This list includes the mother, grandmother, and widow of the deceased. An unmarried daughter is a dependant, but a married daughter is generally not, as she is expected to be maintained by her husband's family.

22. "Hadees" is one of the sources of Muslim law, it comprises
(A) Very words of god
(B) Words and actions of the prophet
(C) Unanimous decision of jurists
(D) Analogical decisions

Ans :

(B) Words and actions of the prophet
Explanation: Under traditional Islamic jurisprudence, "Hadees" (or Hadith) refers to the traditions concerning the teachings, sayings, and actions of the Prophet Muhammad. It is a secondary source of Muslim law, subordinate only to the Quran, which is considered the very word of God. "Ijma" is the consensus of jurists, and "Qiyas" involves analogical decisions.

23. Intellectual Property appellate Board is established under which Act
(A) The Copyright Act, 1957
(B) The Patent Act, 1970
(C) The Trademark Act, 1999
(D) The Designs Act, 2000

Ans :

(C) The Trademark Act, 1999
Explanation: The Intellectual Property Appellate Board (IPAB) was constituted by the Central Government on September 15, 2003, under the provisions of the Trade Marks Act, 1999. Although it heard appeals from various IP statutes like the Patents Act and Copyright Act, its establishment was under the Trade Marks Act. The IPAB has since been abolished in 2021.

24. Which is the subject matter of neighbouring rights protection-
(A) Performance
(B) Dramatic work
(C) Geographical indication
(D) New varieties and plant

Ans :

(A) Performance
Explanation: Neighbouring rights, also known as related rights, protect the legal rights of individuals and bodies who assist creators in communicating their works to the public. The subject matter includes the rights of performers (in their performances), producers of phonograms, and broadcasting organizations. Dramatic works are protected by copyright, not neighbouring rights.

25. Adam Smith has enumerated cannons of taxation which are accepted universally they are:
(A) Equality and Certainty
(B) Equality, convenience and Economy
(C) Equality and Economy
(D) Equality, Certainty, Convenience and Economy

Ans :

(D) Equality, Certainty, Convenience and Economy
Explanation: Adam Smith, in his seminal work "The Wealth of Nations," laid down four fundamental principles or canons of taxation. These are the Canon of Equality (taxes should be proportional to income), Canon of Certainty (the tax amount must be clear), Canon of Convenience (ease of payment), and Canon of Economy (low collection cost).

26. For the first time in India Income tax law was introduced by Sir James Wilson in the year:
(A) 1886
(B) 1868
(C) 1860

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any person entitled in his own name to the possession of the instrument and to receive or recover the amount due thereon. This definition includes the original payee, the bearer of a bearer instrument, and the endorsee to whom the instrument has been transferred.

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case, is reasonable, and such period shall not, in the absence of a special order of a Magistrate under Section 167, exceed twenty-four hours.

32. Who may record confessional statement under section 164 of the Cr.P.C?
(A) Police Officer
(B) Judicial officer
(C) Both A and B
(D) Judicial Magistrate having Jurisdiction only

Ans :

(B) Judicial officer
Explanation: The answer provided in the key is 'Judicial Officer'. However, Section 164 of the CrPC specifies that any Metropolitan Magistrate or Judicial Magistrate may record any confession or statement made to him in the course of an investigation, whether or not they have jurisdiction in the case. A police officer is expressly barred from recording a confession. Thus 'Judicial officer' is the most appropriate general term.

33. The provision relating Plea bargaining is not applicable in following offence.
(A) Scio-economic offence
(B) Offence against women
(C) Both A and B
(D) None of the above

Ans :

(C) Both A and B
Explanation: Chapter XXI-A of the CrPC deals with Plea Bargaining. Section 265-A explicitly states that its provisions shall not apply to any juvenile or child, or where the offense affects the socio-economic condition of the country, or has been committed against a woman or a child below the age of fourteen years.

34. What is the maximum duration within which fast track arbitration must be completed
(A) 6 Month
(B) 12 Month
(C) 18 Month
(D) 24 Month

Ans :

(A) 6 Month
Explanation: Section 29B of the Arbitration and Conciliation Act, 1996, deals with the Fast Track Procedure for arbitration. Sub-section (4) of this section mandates that the arbitral award under this procedure shall be made within a period of six months from the date the arbitral tribunal enters upon the reference.

35. Which one of the following section deals with form of summons?
(A) Section 60
(B) Section 61
(C) Section 62
(D) Section 64

Ans :

(B) Section 61
Explanation: Section 61 of the Criminal Procedure Code, 1973, prescribes the form of a summons. It states that every summons issued by a Court under this Code shall be in writing, in duplicate, signed by the presiding officer of such Court or by such other officer as the High Court may direct, and shall bear the seal of the Court.

36. Under Cr. P.C provisions relating to prosecution of judge is provided under.
(A) Section 196
(B) Section 197
(C) Section 198
(D) Section 199

Ans :

(B) Section 197
Explanation: Section 197 of the CrPC provides a procedural safeguard for public servants, including judges. It states that no court shall take cognizance of an offense alleged to have been committed by a Judge or public servant while acting in the discharge of their official duty, except with the previous sanction of the appropriate government.

37. A question suggesting the answers which the person putting it wishes or expects to receive is called-
(A) Indecent Questions
(B) Leading Questions
(C) Improper Questions
(D) Proper Questions

Ans :

(B) Leading Questions

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(D) Single citizenship

Ans :

(D) Single citizenship
Explanation: Federalism is characterized by a division of powers between a central and regional governments. Key features include a written and rigid constitution and a dual polity (double set of government). Single citizenship is a feature of a unitary system, as federal systems often have dual citizenship (national and state), though India is a notable exception with federalism and single citizenship.

70. Parliament in exercise of its power to amend under Article 368, may not amend
(A) Preamble
(B) Fundamental Right
(C) Supreme Court
(D) Basic statement

Ans :

(D) Basic statement
Explanation: The question uses "Basic statement" to refer to the "Basic Structure". In the landmark case of Kesavananda Bharati v. State of Kerala, the Supreme Court held that while Parliament's power to amend the Constitution under Article 368 is wide, it cannot alter the "basic structure" or framework of the Constitution. Preamble and Fundamental Rights have been amended before.

71. Which article starts with "Subject to public order, morality & health".
(A) Article 14
(B) Article 15
(C) Article 28
(D) Article 25

Ans :

(D) Article 25
Explanation: Article 25(1) of the Constitution of India, which guarantees the freedom of conscience and the right to freely profess, practice, and propagate religion, begins with the phrase, "Subject to public order, morality and health and to the other provisions of this Part, all persons are equally entitled to freedom of conscience...".

72. A "dumb witness" gives his evidence in writing in the open court, such evidence would be treated as
(A) oral evidence
(B) Documentary evidence
(C) Secondary evidence
(D) Primary evidence

Ans :

(A) oral evidence
Explanation: The explanation to Section 119 of the Indian Evidence Act, 1872, clarifies this situation. It states that evidence given by a witness who is unable to speak, if given in writing or by signs in open court, shall be deemed to be oral evidence. The mode of communication does not alter its fundamental nature.

73. Under the Indian evidence act, which of the following is not a court
(A) Persons legally authorised to take evidence
(B) Judges
(C) Magistrates
(D) Arbitrators

Ans :

(D) Arbitrators
Explanation: The definition of "Court" under Section 3 of the Indian Evidence Act is inclusive. It includes all Judges and Magistrates, and all persons, except arbitrators, legally authorized to take evidence. Therefore, an arbitrator is explicitly excluded from the definition of a court for the purposes of the Evidence Act.

74. The term 'Suit of a Civil Nature' refers to:
(A) Private rights and obligations of a citizen.
(B) Political, social and religious question.
(C) A suit in which principal question relates to caste or religion.
(D) All of the above

Ans :

(A) Private rights and obligations of a citizen.
Explanation: Section 9 of the CPC grants civil courts jurisdiction to try all suits of a civil nature. A suit is of a civil nature if its principal question relates to the determination of a private civil right or obligation. Suits involving purely political, social, or religious questions are generally not considered suits of a civil nature.

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43. A person entitled to the possession of specific immovable property may recover in the manner provided by:
(A) The code of procedure, Act 1908.
(B) The Indian registration Act, 1908
(C) The Indian Contract Act, 1872,
(D) The Transfer of property Act, 1882.

Ans :

(A) The code of procedure, Act 1908.
Explanation: Section 5 of the Specific Relief Act, 1963, states that a person entitled to the possession of specific immovable property may recover it in the manner provided by the Code of Civil Procedure, 1908. This typically involves filing a suit for possession based on title or prior possession.

44. section 39 of Specific Relief Act deals with-
(A) Registration of Instruments
(B) Cancellation of Instruments
(C) Correctness of Instruments
(D) None of the above

Ans :

(D) None of the above
Explanation: Section 39 of the Specific Relief Act, 1963, deals with mandatory injunctions, where the court can compel the performance of an act to prevent a breach of an obligation. Sections 31-33 deal with cancellation of instruments. Therefore, none of the given options correctly describe the content of Section 39.

45. Joint sitting of both Houses of parliament may be called by the?
(A) Speaker
(B) Chairman
(C) President
(D) Prime Minister

Ans :

(C) President
Explanation: Under Article 108 of the Indian Constitution, if a bill passed by one House is rejected by the other, or if more than six months elapse, the President may summon a joint sitting of both the Lok Sabha and the Rajya Sabha to resolve the deadlock. The sitting is presided over by the Speaker of the Lok Sabha.

46. Specific relief..... Where the agreement is made with minor (fill in the blanks).
(A) Can get
(B) Cannot be given
(C) Can release
(D) Implemented with law

Ans :

(B) Cannot be given
Explanation: A contract with a minor is void ab initio (void from the beginning) as per the Indian Contract Act, 1872. Since there is no valid contract to enforce, the equitable remedy of specific performance cannot be granted. A court cannot compel a party to perform a void agreement.

47. The parties which cannot be compelled to perform specific performances of contract are provided in which section of Specific Relief Act:
(A) 27
(B) 28
(C) 29
(D) 30

Ans :

(B) 28
Explanation: Section 28 of the Specific Relief Act, 1963, outlines situations where specific performance of a contract cannot be enforced in favor of a vendor or lessor. For instance, it cannot be enforced if there's a material defect in title that the purchaser could not have been aware of and which cannot be rectified by the vendor.

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48. What kind of property is transferable?
(A) Pension.
(B) Public office.
(C) Right to re-entry
(D) Any kind of property if not prohibited by law.

Ans :

(D) Any kind of property if not prohibited by law.
Explanation: Section 6 of the Transfer of Property Act, 1882, states that property of any kind may be transferred, except as otherwise provided by the Act or by any other law. It then lists several exceptions, including pensions, public offices,

Explanation: Section 141 of the Indian Evidence Act, 1872, defines a leading question. It is any question that suggests the answer which the person putting it wishes or expects to receive. Such questions are generally permissible during cross-examination but not during examination-in-chief or re-examination without the court's permission.

38. Option of puberty is a ground of divorce Under Hindu Marriage Act 1955 for-
(A) Only Husband
(B) Only Wife
(C) Both Husband and Wife
(D) None of the Above

Ans :

(B) Only Wife
Explanation: Section 13(2)(iv) of the Hindu Marriage Act, 1955 provides this special ground for divorce exclusively to the wife. If her marriage was solemnized before she attained the age of fifteen, she can repudiate the marriage after attaining that age but before she turns eighteen, regardless of whether the marriage was consummated.

39. which section of the Hindu Marriage Act 1955 provides that a child from a void marriage would be legitimate?
(A) Section 11
(B) section 13 (a)
(C) Section 12
(D) Section 16

Ans :

(D) Section 16
Explanation: Section 16 of the Hindu Marriage Act, 1955, grants legitimacy to children born of void (under Section 11) and voidable (under Section 12) marriages. It creates a legal fiction that such children are legitimate for all purposes, though their inheritance rights are typically limited to the property of their parents.

40. Which of the following appears to contribute to global cooling rather than global warming
(A) Nitrous Oxide
(B) Aerosols
(C) Methane
(D) CFC

Ans :

(B) Aerosols
Explanation: While most greenhouse gases like nitrous oxide and methane contribute to global warming by trapping heat, some aerosols (tiny particles suspended in the atmosphere) can have a cooling effect. Certain types of aerosols, such as sulfates, reflect sunlight back into space, which leads to a localized or regional cooling of the Earth's surface.

41. A and B agree to fence with each other for amusement.This agreement implies the consent of each to suffer any harm which in the course of fencing, may be caused without foul play and if A, while playing fairly, hurts B. A commit no offence. The provision are given under:
(A) Section 87
(B) Section 85
(C) Section 86
(D) Section 88

Ans :

(A) Section 87
Explanation: This scenario is a direct illustration of the principle contained in Section 87 of the Indian Penal Code. This section provides a defense for an act not intended to cause death or grievous hurt, done by consent in good faith for the benefit of a person who has consented to take the risk of that harm.

42. The provision of the right of private defence are given:
(A) Under section 96- 10s of the Indian penal code
(B) Under section 94-106 of the Indian penal code
(C) Under section 96-106 of the Indian penal code
(D) Under section 95-106 of the Indian penal code

Ans :

(C) Under section 96-106 of the Indian penal code
Explanation: The general principles and scope of the Right of Private Defence are laid out in the Indian Penal Code, 1860. The provisions start with Section 96, which states that nothing is an offense which is done in the exercise of the right of private defence, and extend up to Section 106.

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delegate its essential legislative functions, it can delegate ancillary or subordinate powers to the executive to carry out the purpose of the law.

54. A Prospectus which does not include complete particulars of the quantum or price of the securities included there in known as:
(A) shelf Prospectus
(B) memorandum
(C) Red Herring Prospectus
(D) Issuing house

Ans :

(C) Red Herring Prospectus
Explanation: As per Section 32 of the Companies Act, 2013, a Red Herring Prospectus is one which does not include complete particulars on the price of the securities being offered or the quantum (number) of securities. It is issued prior to the final prospectus to gauge investor interest and help in the price discovery process.

55. When there is no profit in one year or the profit of a company is not enough to pay the fixed dividend on preference shares, the arrears of dividend are to be carried forward and paid before a dividend is paid on the ordinary shares. This is called:
(A) Participating preference shares
(B) cumulative preference shares
(C) Non- cumulative preference shares
(D) Non- Participating preference shares

Ans :

(B) cumulative preference shares
Explanation: Cumulative preference shares have a right to receive arrears of dividend. If the company is unable to pay the dividend in a particular year, the unpaid dividend accumulates and must be paid in future years, with priority over any dividend payments to ordinary (equity) shareholders. This feature ensures a more secure return for preference shareholders.

56. "Industrial dispute means any dispute or difference between/
(i) Employees and employers
(ii) Employers and workmen
(iii) Workmen and workmen
(iv) Master and worker
(A) (i) and (ii)
(B) (iv)
(C) (i), (ii), (iii) and (iv)
(D) (i), (ii) and (iii)

Ans :

(D) (i), (ii) and (iii)
Explanation: Section 2(k) of the Industrial Disputes Act, 1947, defines an "industrial dispute". It means any dispute or difference between employers and employers, or between employers and workmen, or between workmen and workmen, which is connected with the employment or non-employment or the terms of employment or with the conditions of labour, of any person.

57. Section 19 of the Hindu Adoption and Maintenance Act 1956 provides for the Maintenance of:
(A) Wife
(B) Parents
(C) Widowed daughter-in-law
(D) Children

Ans :

(C) Widowed daughter-in-law
Explanation: Section 19 of the Hindu Adoptions and Maintenance Act, 1956, specifically deals with the maintenance of a widowed daughter-in-law. It provides that she can claim maintenance from her father-in-law under certain conditions, such as being unable to maintain herself from her own earnings or the estate of her husband, parents, or children.

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58. Section 30 of the Hindu successions Act, 1956 deals with:-
(A) Testamentary Successions
(B) Male Successions
(C) Woman estate
(D) Female Successions

Ans :

(A) Testamentary Successions
Explanation: Section 30 of the Hindu Succession Act, 1956, deals with testamentary succession. It clarifies the power of a Hindu to dispose of their property by will. A key part of this section is the explanation that allows a member of a Mitakshara coparcenary to dispose of his undivided interest in the coparcenary property by will.

59. When two or more person, by fighting in a public place disturb the public the public peace, they are said to commit:
(A) A riot
(B) An affray
(C) An assault
(D) None of the above

Ans :

(B) An affray
Explanation: Section 159 of the Indian Penal Code defines "affray." An affray is committed when two or more persons, by fighting in a public place, disturb the public peace. The key ingredients are fighting by two or more people, in a public place, and causing a disturbance to the public peace.

60. Promotion of "class hatred" in given under:
(A) Section 153-A of the I.P.C
(B) Section 153-AA of the I.P.C
(C) Section 153-8 of the I.P.C
(D) Section 144-A of the I.P.C

Ans :

(A) Section 153-A of the I.P.C
Explanation: Section 153A of the Indian Penal Code punishes the act of promoting enmity between different groups on grounds of religion, race, place of birth, residence, language, etc., and doing acts prejudicial to the maintenance of harmony. This is often referred to as promoting "class hatred" or disharmony between different groups.

61. The distinction between section 299 and 300 was made clear by Melvill. J. in:
(A) Reg Vs Gorachand Gopee
(B) Reg Vs Govinda
(C) Govinda Vs Reg
(D) Reg Vs Hayward

Ans :

(B) Reg Vs Govinda
Explanation: The landmark case of Reg v. Govinda is celebrated for Justice Melvill's clear and authoritative distinction between culpable homicide (Section 299 IPC) and murder (Section 300 IPC). He explained that "culpable homicide is the genus and murder is the species," clarifying the specific conditions under which culpable homicide amounts to murder.

62. Who was the Chief Justice of India when the Concept of PIL was introduced to Indian Judicial system
(A) M. Hidayataullah
(B) A.M. Ahmadi
(C) A.S. Anand
(D) P.N. Bhagwati

Ans :

(D) P.N. Bhagwati
Explanation: Justice P.N. Bhagwati is widely regarded as the pioneer of Public Interest Litigation (PIL) in India. Along with Justice V.R. Krishna Iyer, he played a crucial role in relaxing the traditional rule of locus standi, allowing public-spirited citizens to approach the courts on behalf of the poor and marginalized, thereby introducing and expanding the scope of PIL.

63. The Supreme Court of India issued a number of direction for the prevention of Woman in Various forms of prostitution and to rehabilitate their Children Through various welfare measures an so as to provide them with dignity of person means of livelihood and socio-economic development in the Case of-
(A) Vishaka Vs State of Rajasthan, AIR 1997 Section 3011
(B) Gaurav Jain Vs Union of India, AIR 1997 Section 3021
(C) Delhi Domestic Working women's Forum Vs Union of India (1998) 1 Section 14
(D) Sheela Barse Vs Union of India (1986) 35 Section 596

Ans :

(B) Gaurav Jain Vs Union of India, AIR 1997 Section 3021
Explanation: In the case of Gaurav Jain v. Union of India, the Supreme Court dealt with the plight of children of prostitutes. The Court issued extensive directions for their rescue, rehabilitation, and socio-economic development, emphasizing the need to separate them from the detrimental environment of brothels and provide them with education and a life of dignity.

64. A resides at Hyderabad, B at Calcutta and Cat Delhi. A, B and C being together at Allahabad, B and C make a joint promissory note payable on demand, and deliver to A. A may sue B and C:

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(A) At Allahabad where the cause of action arises.
(B) At Calcutta, where B resides.
(C) At Delhi, where C resides.
(D) All of the above.

Ans :

(D) All of the above.
Explanation: According to Section 20 of the CPC, a suit can be filed where the defendants reside or where the cause of action arises. In this case, the cause of action arose in Allahabad. Since there are multiple defendants residing in different places (Calcutta and Delhi), the suit can be filed in either of their locations or where the cause of action arose.

65. Section 25 empowers the supreme court to transfer any suit, appeal or other proceeding:
(A) From one High Court to another High Court.
(B) Form one civil court in court in one state to another civil court in any other state.
(C) Both (a) and (b)
(D) Only (a)

Ans :

(C) Both (a) and (b)
Explanation: Section 25 of the Civil Procedure Code grants the Supreme Court wide powers to transfer cases to meet the ends of justice. This power includes transferring a suit, appeal, or other proceeding from a High Court or other civil court in one state to a High Court or other civil court in any other state.

66. In which of the following cases, can C set off the claim?
(A) A sues C on a bill of exchange for Rs. 500/- , C alleges that A has wrongfully neglected to insure C's goods and he is liable to pay compensation.
(B) A sues C on a bill of exchange for Rs. 500/-, C holds a decree against A for recovery of debt of Rs. 1000/-
(C) A sues B and C for Rs. 1000/-, the debt is due to C alone by A.
(D) A and B sues C for Rs. 1000/-, the debt is due to C by alone

Ans :

(B) A sues C on a bill of exchange for Rs. 500/- , C holds a decree against A for recovery of debt of Rs. 1000/-
Explanation: A set-off under Order VIII, Rule 6 of the CPC requires the defendant's claim to be an ascertained sum of money legally recoverable from the plaintiff. In option (A), the compensation is unliquidated. In (B), the decree represents an ascertained sum, making it eligible for set-off. Options (C) and (D) fail the mutuality test.

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67. "Mandamus" May be issued by
(A) Supreme court
(B) High court
(C) District court
(D) Both (a) & (b)

Ans :

(D) Both (a) & (b)
Explanation: The writ of Mandamus is a judicial remedy in the form of an order from a superior court to any government, subordinate court, corporation, or public authority to do a specific act which that body is obliged under law to do. Both the Supreme Court (under Article 32) and the High Courts (under Article 226) have the power to issue this writ.

68. The provision for administration tribunals is added by
(A) 42 Amendment
(B) 44" Amendment
(C) 24th Amendment
(D) 43" Amendment

Ans :

(A) 42 Amendment
Explanation: The 42nd Amendment to the Constitution of India, enacted in 1976, introduced Part XIV-A, titled 'Tribunals'. This part includes Article 323A, which empowers Parliament to provide for the adjudication of disputes relating to recruitment and conditions of service of public servants by administrative tribunals, and Article 323B for other matters.

69. Which of the following is not a Federal feature of any Constitution
(A) Written Constitution
(B) Double set of Government
(C) Rigid Constitutional

(Rule 2)
(ii) Where neither the plaintiff not the defendant appears (Rule 3)
(iii) where plaintiff, after summons returned unserved, fail for 7 days to apply for fresh summons (Rule 5)
(iv) Where on the date fixed for hearing in a suit only defendant appears and he does not admit the plaintiff's claim. (Rule 8)
(A) I, II and III
(B) I, III and IV
(C) II, III and IV
(D) All of the above.

Ans :

(D) All of the above.
Explanation: Order IX of the CPC deals with the appearance of parties and the consequence of non-appearance. Rules 2, 3, 5, and 8 all provide for the dismissal of a suit under different circumstances of default by the plaintiff, such as failure to pay costs, non-appearance of both parties, failure to apply for fresh summons, and non-appearance when the defendant appears.

80. The Ex-officio chairman of the council of state is?
(A) The President
(B) Speaker, Lok Sabha
(C) Vice President
(D) None of the above

Ans :

(C) Vice President
Explanation: According to Article 64 and Article 89(1) of the Indian Constitution, the Vice-President of India is the ex-officio Chairman of the Council of States (Rajya Sabha). This means that whoever holds the office of the Vice-President automatically becomes the Chairman of the Rajya Sabha by virtue of that office.

81. Right to property in India is
(A) Fundamental Right
(B) Constitutional Right
(C) Statutory Right
(D) Legal Right

Ans :

(B) Constitutional Right
Explanation: The Right to Property was originally a Fundamental Right under Article 19(1)(f). However, the 44th Amendment Act, 1978, removed it from the list of Fundamental Rights and inserted it as Article 300-A. It is now a constitutional right, meaning it is protected by the Constitution but is not a fundamental right that can be enforced via Article 32.

82. Which of the following writs means to produce the body of a person?
(A) Certiorari
(B) Quo warranto
(C) Prohibition
(D) Habeas Corpus

Ans :

(D) Habeas Corpus
Explanation: The writ of Habeas Corpus literally translates to "to have the body of." It is a legal remedy through which a person can report an unlawful detention or imprisonment to a court and request that the court order the custodian of the person, usually a prison official, to bring the prisoner to court to determine if the detention is lawful.

83. Restrictions may not be imposed on freedoms provided under Article 19(1)(a) on this ground
(A) Defamation
(B) Public Order
(C) Sedition
(D) Security of the state

Ans :

(C) Sedition
Explanation: Article 19(2) lists the grounds on which reasonable restrictions can be imposed on the freedom of speech and expression under Article 19(1)(a). While "sedition" itself is an offense under the IPC, it is not an explicit ground for restriction mentioned in Article 19(2). The listed grounds include security of the State, public order, and defamation.

84. Right guaranteed to citizen only is
(A) Article 21
(B) Article 20
(C) Article19 (1) (a)
(D) Article 25

Ans :

(C) Article19 (1) (a)

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75. The rule of res Sub- Judice Implies:
(A) Where the same subject matter is pending is a court of law for adjudication between the same parties, the other court is barred to entertain the case so long as the first suit goes on.
(B) Where the same subject matter is pending in a court of law for adjudication between the different parties, the other court is barred to entertain the case so long as the first suit goes on.
(C) Where the different subject matter is pending in a court of law for adjudication between the same parties, the other court is barred to entertain the case so long as the first suit goes on.
(D) None of the above

Ans :

(A) Where the same subject matter is pending is a court of law for adjudication between the same parties, the other court is barred to entertain the case so long as the first suit goes on.
Explanation: The doctrine of res sub-judice, enshrined in Section 10 of the CPC, means "a matter under judgment." It bars the trial of a subsequent suit if the matter in issue is also directly and substantially in issue in a previously instituted suit between the same parties in a competent court.

76. A suit brought by a person to recover possession from a stranger of matth property claiming it as heir of the deceased Mahant. The suit is dismissed on his failure to produce the succession certificate. A second suit was filed by him as manager of the matth.
(A) The second suit will be barred by Res Judicata.
(B) The second suit will not be barred by Res Judicata.
(C) The second suit will be barred by Res sub-Judicata
(D) None of the above

Ans :

(B) The second suit will not be barred by Res Judicata.
Explanation: For res judicata to apply, the parties must be litigating under the same title in both suits. In the first suit, the plaintiff sued in his personal capacity as an heir. In the second suit, he is suing in a different capacity, as the manager of the matth. Therefore, the principle of res judicata does not apply.

77. Section 66A was invalidated by the Supreme Court of India in:
(A) Anvar P. V. Vs P.K. Basheer, (2014)10 SCC 473.
(B) Shreya Singhal Vs Union of India, AIR 2015SC 1523.
(C) Dr. Prafulla Desai Vs State of Maharashtra, AIR 2003 SC 2053.
(D) State (NCT of Delhi) Vs Navjot Sandhu, (2005) 11 SCC 600.

Ans :

(B) Shreya Singhal Vs Union of India, AIR 2015SC 1523.
Explanation: In the landmark judgment of Shreya Singhal v. Union of India, the Supreme Court struck down Section 66A of the Information Technology Act, 2000, in its entirety. The Court held that the provision was unconstitutionally vague and had a chilling effect on the freedom of speech and expression guaranteed under Article 19(1)(a) of the Constitution.

78. Environmental impact assessment (EIA) is mandatory under
(A) Indian forest act
(B) Air act
(C) Wildlife protection act
(D) Environment protection act

Ans :

(D) Environment protection act
Explanation: The requirement for Environmental Impact Assessment (EIA) for various projects in India is mandated through notifications issued by the Ministry of Environment, Forest and Climate Change. These notifications derive their legal authority from the powers conferred under the Environment (Protection) Act, 1986, making EIA a statutory requirement under this Act.

NODIA

79. A suit may be dismissed under order IX
(i) Where the summons is not served upon the defendant in consequence of the plaintiff's failure to pay costs for service of summons

and a mere right of re-entry, which are non-transferable.

49. Which of the following does not come under the 'immovable property' as per the T.P. Act?
(A) Sales of a ceiling fan.
(B) Right to claim maintenance.
(C) Right relating to lease
(D) Easementary right.

Ans :

(A) Sales of a ceiling fan.
Explanation: The Transfer of Property Act defines "immovable property" as not including standing timber, growing crops, or grass. A ceiling fan, being a chattel that can be easily detached without damage to the property, is considered movable property. Rights related to leases and easements are benefits arising out of land and are thus treated as immovable property.

50. X strike "A', 'A' is by this provocation excited to violent range. 'y' a bystander intending to take advantage of 'A's rage and to cause him kill 'X', gives a revolver into 'A' s hand for that purpose. 'A' kills 'X' with the revolver :
(A) A is liable for committing murder and Y is liable for abetting murder.
(B) A is liable for committing culpable homicide and Y is not liable.
(C) A is liable for committing culpable homicide and Y is liable for abetting culpable homicide not amounting to murder.
(D) A is not liable and Y is liable for abetting murder.

Ans :

(A) A is liable for committing murder and Y is liable for abetting murder.
Explanation: The question presents a complex scenario. While 'A' might have the defense of grave and sudden provocation, which could reduce the charge from murder to culpable homicide, 'Y's' act is a clear case of abetment. 'Y' intentionally aided the killing with the requisite intent for murder. However, the provided answer key states (A). This implies 'A's act is treated as murder, and 'Y' abetted that act.

51. Right to free Legal Aid was recognised as a fundamental right under act 21 of Indian Constitution in the Case of-
(A) Hussaainara Khatoun Vs Home Secretary, State of Bihar, Air 1979 SC 1360
(B) M.H Hoskot Vs State of Maharashtra, Air 1978 SC 1548
(C) Madhu Mehta Vs Union of India (1989) 4 SC 1548
(D) Rudal Shah Vs State of Bihar (1983) 45 5 14

Ans :

(A) Hussaainara Khatoun Vs Home Secretary, State of Bihar, Air 1979 SC 1360
Explanation: In the landmark case of Hussainara Khatoon v. State of Bihar, the Supreme Court held that the right to a speedy trial is a fundamental right implicit in Article 21. The court further declared that the right to free legal services is an essential element of "reasonable, fair and just" procedure for a person accused of an offence.

52. In Which Country was the concept of PIL Originated
(A) United Kingdom
(B) United State of America
(C) India
(D) Australia

Ans :

(B) United State of America
Explanation: The concept of Public Interest Litigation (PIL) first originated in the United States of America in the 1960s. It was known there as "social action litigation" and was developed to provide legal representation to previously unrepresented groups and interests. The concept was later adopted and significantly expanded by the Indian judiciary.

53. Delegated legislation was declared constitutional in?
(A) Berubari case
(B) Delhi laws act case
(C) Keshwarnand bharti case
(D) Maneka Gandhi case

Ans :

(B) Delhi laws act case
Explanation: The constitutionality of delegated legislation in India was extensively discussed and upheld by the Supreme Court in the landmark case In re: The Delhi Laws Act, 1912. The Court held that while the legislature cannot

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Explanation: The six fundamental freedoms enumerated in Article 19, including the freedom of speech and expression under Article 19(1)(a), are exclusively available to the citizens of India. Rights under Articles 20, 21, and 25 are available to all persons, whether they are citizens or non-citizens, residing within the territory of India.

85. President can be removed on the ground of?
(A) Proved Misbehaviour
(B) Incapacity
(C) Violation of Constitution
(D) All the above

Ans :

(C) Violation of Constitution
Explanation: According to Article 61 of the Indian Constitution, the President of India can be removed from office through a process of impeachment for one specific reason: "violation of the Constitution." The grounds of proved misbehaviour and incapacity are applicable for the removal of Supreme Court and High Court judges, not the President.

86. Who among the following cannot transfer an immovable property?
(A) Hindu widow
(B) Muslim widow
(C) Natural guardian of a minor.
(D) Karta or manager of joint Hindu family

Ans :

(B) Muslim widow
Explanation: A Hindu widow, a minor's guardian, and a Karta can transfer property under specific circumstances (e.g., for legal necessity). However, under Muslim law, a widow is only one of the legal heirs and is entitled to a specific share (e.g., 1/8th or 1/4th) of her deceased husband's property. She cannot transfer the entire immovable property of her late husband.

87. 'The doctrine of Lis pendens' was explained in the leading case of:
(A) Bellamy Vs Sabine
(B) Cooper Vs Cooper
(C) Streatifised Vs Streafield
(D) Tulk Vs Moxbay

Ans :

(A) Bellamy Vs Sabine
Explanation: The doctrine of lis pendens, which is codified in Section 52 of the Transfer of Property Act, 1882, was authoritatively explained in the English case of Bellamy v. Sabine. The court held that the doctrine is based not on notice but on the necessity that parties to a litigation should not be allowed to alienate property in dispute so as to affect their opponent.

88. When two or more persons agree to do an illegal act or an act which is not illegal by illegal means such an agreement is designated as:
(A) Abetment by conspiracy
(B) Abetment by Aid
(C) Criminal conspiracy
(D) Abetment

Ans :

(C) Criminal conspiracy
Explanation: This is the precise definition of "criminal conspiracy" as provided in Section 120-A of the Indian Penal Code. The essence of the offense is the agreement between two or more persons to commit an illegal act or a legal act by illegal means. The agreement itself constitutes the offense.

89. The provisions regarding sedition are given:
(A) Under section 124 of the I.P.C
(B) Under section 124-A of the I.P.C
(C) Under section 121-A of the I.P.C
(D) Under section 130 of the I.P.C

Ans :

(B) Under section 124-A of the I.P.C
Explanation: Section 124-A of the Indian Penal Code, 1860, defines and provides punishment for the offense of sedition. It penalizes acts, whether by words, signs, or visible representation, that bring or attempt to bring into hatred or contempt, or excite disaffection towards, the Government established by law in India.

90. Which among the following is not an ADR method under Section 89 of CPC 1908-
(A) Mini Trial
(B) Judicial settlement Through lok adalat
(C) Conciliation
(D) None of the above

Ans :

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ALL INDIA BAR EXAMINATION XII

1. Who can move PIL in High Court and Supreme Court
(A) Any public-spirited person
(B) NGO or Association with public spirit
(C) Group of public-spirited persons who have no personal interest
(D) All the above

Ans :

(D) All the above
Explanation: Public Interest Litigation (PIL) has a liberalized rule of locus standi, meaning the traditional requirement that only an aggrieved party can file a case is relaxed. Therefore, any public-spirited individual, a non-governmental organization (NGO), or a group of persons can file a PIL on behalf of the public, provided they have no personal interest in the matter.

2. Doctrine of 'Pleasure' applies to
(A) Legislative
(B) Civil Servants
(C) Judges
(D) Cabinet Ministers

Ans :

(B) Civil Servants
Explanation: The Doctrine of Pleasure, enshrined in Article 310 of the Indian Constitution, states that civil servants hold their office during the pleasure of the President or the Governor. This means their service can be terminated at any time by the competent authority. However, this pleasure is not absolute and is subject to the safeguards provided in Article 311.

3. Articles of a company can be altered by
(A) The directors of the company
(B) The official of the company
(C) Shareholders by passing an ordinary resolution
(D) Shareholders by passing a special resolution

Ans :

(D) Shareholders by passing a special resolution
Explanation: According to Section 14 of the Companies Act, 2013, a company can alter its Articles of Association by passing a special resolution. A special resolution requires the approval of at least 75% of the members present and voting at a general meeting. This higher threshold ensures that significant changes to the company's internal regulations have substantial shareholder support.

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4. Article 361 provides
(A) Authority to Union government to dismiss the state governments
(B) Authority to the state governments to pass legislation
(C) Protection and immunities to the President and Governors from being prosecuted in courts
(D) None of the above

Ans :

(C) Protection and immunities to the President and Governors from being prosecuted in courts
Explanation: Article 361 of the Indian Constitution grants personal immunities to the President and Governors. It provides that they shall not be answerable to any court for the exercise and performance of their official powers and duties. It also protects them from any criminal proceedings being instituted or continued against them during their term of office.

5. Uttering of words with deliberate intention to wound religious sentiments will be dealt with
(A) Section 298 of IPC
(B) Section 296 IPC
(C) Section 297 IPC
(D) None of the above

Ans :

(B) Where there is consent there is no injury.
(C) Both (a) and (b)
(D) None of the Above

Ans :

(A) Things speaks its story itself.
Explanation: The Latin maxim Res Ipsa Loquitur translates to "the thing speaks for itself." In tort law, it is a rule of evidence that allows negligence to be inferred from the very nature of an accident or injury, in the absence of direct evidence on how any defendant behaved.

97. In which of the following cases the 'Principal of common Employment' was evolved for the first time?
(A) Rylands Vs Fletcher
(B) Priestley Vs Fowler
(C) Ashby Vs White
(D) Wagon Vs Mound

Ans :

(B) Priestley Vs Fowler
Explanation: The doctrine of common employment was first established in the English case of Priestley v. Fowler. This doctrine stated that an employer was not liable for injuries caused to a worker by the negligence of a fellow worker (a 'common employee'). This doctrine has since been largely abolished by legislation in most jurisdictions, including India.

98. The designation Senior Advocates' is provided under
(A) Section 16, Advocates Act 1961
(B) Section 26, Advocates Act 1961
(C) Section 6, Advocates Act 1961
(D) Section 15, Advocates Act 1961

Ans :

(A) Section 16, Advocates Act 1961
Explanation: Section 16 of the Advocates Act, 1961, provides for the designation of advocates as Senior Advocates. It empowers the Supreme Court or a High Court to designate, with their consent, any advocate as a Senior Advocate if they are of the opinion that by virtue of their ability, standing at the Bar, or special knowledge of law, they are deserving of such distinction.

99. Right to pre-audience is provided by
(A) Section 33 of Advocates Act 1961
(B) Section 23 of Advocates Act 1961
(C) Section 16 of Advocates Act 1961
(D) Section 36 of Advocates Act 1961

Ans :

(B) Section 23 of Advocates Act 1961
Explanation: Section 23 of the Advocates Act, 1961, lays down the right of pre-audience, which establishes the order of seniority and priority in which advocates are entitled to be heard in court. It gives the Attorney-General of India pre-audience over all other advocates, followed by the Solicitor-General, the Additional Solicitor-General, and so on.

100. The 'Contempt of Court' belongs to
(A) Entry 77 of Union list and entry 14 of State list in the VIIth schedule of Constitution of India.
(B) Entry 70 of union list and entry 40 of state list
(C) Entry 67 of Union list and entry 13 of State list
(D) None of these

Ans :

(A) Entry 77 of Union list and entry 14 of State list in the VIIth schedule of Constitution of India.
Explanation: The power to legislate on Contempt of Court is a shared power. Entry 77 of the Union List (List I) gives Parliament power over "Contempt of the Supreme Court." Entry 14 of the Concurrent List (List III) gives both Parliament and State Legislatures power over "Contempt of court, but not including contempt of the Supreme Court."

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23. Section 10 of the CPC provides for
(A) Stay of the suit
(B) Summoning witness
(C) Examination of witness
(D) Sentencing the judgement

Ans :

(A) Stay of the suit
Explanation: Section 10 of the Code of Civil Procedure, 1908, embodies the doctrine of res sub-judice. It mandates that no court shall proceed with the trial of any suit in which the matter in issue is also directly and substantially in issue in a previously instituted suit between the same parties. This results in a stay of the subsequent suit.

24. Who is prevented from being testified under Section 118 of Indian Evidence Act
(A) A lunatic who cannot understand the question put to him
(B) Extreme old age person who cannot give rational answer to the questions
(C) A tender age person who cannot give rational answer to the questions
(D) All the above

Ans :

(D) All the above
Explanation: Section 118 of the Indian Evidence Act lays down the primary test for the competency of a witness: the ability to understand questions and give rational answers. It disqualifies individuals who, due to lunacy, extreme old age, tender age, or any other cause, are unable to meet this standard. Therefore, all the listed persons are incompetent to testify.

25. Supreme Court decided in SR Bommai V/s. Union of India
(A) Relating to the President Rule in state
(B) Relating to the illegal detention
(C) Relating to the right to clean environment
(D) None of the above

Ans :

(A) Relating to the President Rule in state
Explanation: The case of S.R. Bommai v. Union of India is a landmark Supreme Court judgment that elaborately discussed the provisions of Article 356 of the Constitution, concerning the imposition of President's Rule in states. The Court laid down guidelines to prevent the misuse of this power by the central government.

26. The Costal Regulation Zone Notification was issued by the Central Government in
(A) 1986
(B) 1988
(C) 1991
(D) 1997

Ans :

(C) 1991
Explanation: The first Coastal Regulation Zone (CRZ) Notification was issued by the Ministry of Environment and Forests in 1991 under the Environment (Protection) Act, 1986. This notification was a significant step towards protecting India's coastal environment by regulating developmental activities in coastal areas and classifying them into different zones.

27. Who is lawful guardian
(A) A person who in law represents the Minor
(B) A person who has been appointed by the court
(C) A person who has been authorized to represent an unmarried daughter
(D) All the above

Ans :

(D) All the above
Explanation: The term 'lawful guardian' is broad and can encompass several categories. It includes natural guardians (like parents), guardians appointed by a court under the Guardians and Wards Act, and testamentary guardians appointed by a will. All the descriptions fit within the scope of a lawful guardian under different personal laws and statutes.

28. Who is a protected workman
(A) Workman given police protection during labour strike
(B) Workman protected by insurance coverage
(C) Workman who is an executive or office bearer of a registered trade union in the establishment
(D) Workman protected from being arrested by a court order

Ans :

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(A) Section 298 of IPC
Explanation: Section 298 of the Indian Penal Code specifically deals with this offense. It criminalizes the act of uttering any word or making any sound in the hearing of any person, with the deliberate intention of wounding their religious feelings. The act aims to protect the religious sensibilities of individuals from intentional insults.

6. Under Section 320 (1), Cr.P.C. for criminal intimidation, with section of IPC is applicable
(A) 503
(B) 504
(C) 505
(D) 506

Ans :

(D) 506
Explanation: Section 320(1) of the CrPC lists offenses that can be compounded without the court's permission. For the offense of criminal intimidation, the table in Section 320 specifies that the act punishable under Section 506 of the IPC is compoundable by the person intimidated. Sections 503 and 504 are also listed but 506 covers the punishment.

7. Which of the following is an innovative form of Alternative Dispute Resolution mechanism
(A) Bar Council of India
(B) Election Commission
(C) Comptroller and Auditor General
(D) Lok Adalat

Ans :

(D) Lok Adalat
Explanation: Lok Adalat, meaning "People's Court," is an innovative and effective form of Alternative Dispute Resolution (ADR) in India. It is a forum where disputes or cases pending in the court or at the pre-litigation stage are settled amicably. The other options are constitutional bodies and not ADR mechanisms.

8. Which of the following is not a legal guardian of the property of Muslim minor
(A) Father
(B) Brother
(C) The executor appointed by father
(D) Grand father

Ans :

(B) Brother
Explanation: Under Muslim Law, the order of legal guardianship for a minor's property is strictly defined. The father is the primary guardian, followed by the executor appointed by the father's will, then the paternal grandfather, and finally the executor appointed by the grandfather's will. A brother is not recognized as a legal guardian of property.

9. Indian Evidence Act was enacted in
(A) 1972
(B) 1872
(C) 1955
(D) 1986

Ans :

(B) 1872
Explanation: The Indian Evidence Act, which governs the rules of evidence in all judicial proceedings in or before any court in India, was enacted by the British Parliament in 1872. It came into force on September 1, 1872, and continues to be a cornerstone of the Indian legal system, with subsequent amendments.

10. Which is the correct state statement with regard to the professional ethics of a lawyer
(A) Lawyers have no right to go on strike or give a call for boycott'
(B) An advocate shall not influence the decision of a court by any illegal or improper means
(C) An advocate abusing the process of the court is guilty and misconduct
(D) All of the above

Ans :

(D) All of the above
Explanation: Professional ethics for lawyers, as outlined in the Advocates Act, 1961, and the Bar Council of India Rules, encompass all the given statements. The Supreme Court has held that lawyers have no right to strike. Furthermore, influencing judicial decisions improperly and abusing court processes are considered serious professional misconduct.

11. Droite Administration is a system of administration
(A) French system
(B) British system
(C) American system

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(D) Irish System

Ans :

(A) French system
Explanation: Droit Administratif is the French term for administrative law. It refers to the body of rules that determine the organization, powers, and duties of public administration and regulate the relations of the administration with the citizens. It is a distinct legal system where disputes involving the state are adjudicated by separate administrative courts.

12. Which Act is covering the Cyber crimes
(A) Indian Telecommunication Act
(B) Indian Penal Code
(C) Indian Evidence Act
(D) Information Technology Act

Ans :

(D) Information Technology Act
Explanation: The Information Technology Act, 2000 is the primary legislation in India that deals with cybercrime and electronic commerce. It provides a legal framework for electronic transactions and defines various cybercrimes such as hacking, data theft, and cyber terrorism, prescribing punishments for them. The Indian Penal Code has also been amended to include some cybercrimes.

13. The First constitutional amendment was enacted in
(A) 1950
(B) 1951
(C) 1967
(D) 1975

Ans :

(B) 1951
Explanation: The Constitution (First Amendment) Act, 1951, was enacted by the provisional Parliament of India. This significant amendment made several changes to Fundamental Rights, including adding reasonable restrictions on the freedom of speech, and introduced provisions to validate zamindari abolition laws, primarily by adding the Ninth Schedule to the Constitution.

14. A person instigates any person to do an offence or illegal act or omission attracts
(A) Section 107, IPC
(B) Section 120 (B) of IPC
(C) Section 114 of IPC
(D) Section 144 of IPC

Ans :

(A) Section 107, IPC
Explanation: This question describes the act of abetment. Section 107 of the Indian Penal Code defines abetment, stating that a person abets the doing of a thing who instigates any person to do that thing, engages in a conspiracy to do it, or intentionally aids in doing it.

15. A land mark Habeas Corpus Petition was filed during emergency, that is
(A) Keshavanand Bharti V/s. State of Kerela
(B) Golaknath V.s State of Punjab
(C) MC Mehta V/s. Union of India
(D) ADM Jabalpur V/s. Shivkant Shukla

Ans :

(D) ADM Jabalpur V/s. Shivkant Shukla
Explanation: The case of ADM Jabalpur v. Shivkant Shukla, also known as the Habeas Corpus case, is a landmark decision from the period of the 1975 Emergency. The Supreme Court controversially held that during a proclamation of Emergency, the right to approach a High Court under Article 226 for a writ of habeas corpus challenging illegal detention was suspended.

16. Section 24A of Advocates Act 1961 provides the
(A) Appointment of Attorney General
(B) Regular attendance at law College
(C) Admitted for enrolment in Bar or State Roll
(D) Election to state Bar Council

Ans :

(C) Admitted for enrolment in Bar or State Roll
Explanation: Section 24A of the Advocates Act, 1961 lays down the conditions for disqualification for enrolment as an advocate on a state roll. It specifies grounds on which a person shall be disqualified, such as being convicted of an offense involving moral turpitude or being dismissed from government service on a charge involving moral turpitude.

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17. Under the Companies Act every person subscribing to the Memorandum of a company must take at least
(A) 100 shares
(B) 20 shares
(C) 10 shares
(D) 1 share

Ans :

(D) 1 share
Explanation: According to the Companies Act, 2013, a person who subscribes to the memorandum of association of a company must agree to take at least one share. This is a fundamental requirement for the incorporation of a company limited by shares, ensuring that the initial members have a stake in the company.

18. GST came into force from
(A) 1st January, 2017
(B) 1st April, 2017
(C) 1st July, 2017
(D) 1st August, 2017

Ans :

(C) 1st July, 2017
Explanation: The Goods and Services Tax (GST), which replaced numerous indirect taxes in India, was officially launched at midnight on 1st July 2017. This marked a significant reform in the country's indirect tax structure, aiming to create a single, unified market through a comprehensive tax on the supply of goods and services.

19. Examination in Chief is conducted by the
(A) Chief Examiner of the court
(B) A lawyer appointed by the accused
(C) A lawyer appointed by the government
(D) Presiding judge in the court

Ans :

(B) A lawyer appointed by the accused
Explanation: As per Section 137 of the Indian Evidence Act, the examination of a witness by the party who calls him is called his Examination-in-Chief. In a criminal case, if the defense calls a witness, their examination-in-chief would be conducted by the lawyer appointed by the accused. If the witness is for the prosecution, the government lawyer would conduct it.

20. The convention of Climate Change was the outcome of
(A) The Stockholm Conference
(B) The Nairobi Conference
(C) The Vienna Conference
(D) The Rio De Janeiro Conference

Ans :

(D) The Rio De Janeiro Conference
Explanation: The United Nations Framework Convention on Climate Change (UNFCCC) was one of the major outcomes of the United Nations Conference on Environment and Development (UNCED), also known as the Earth Summit, held in Rio de Janeiro, Brazil, in 1992. This conference was a pivotal moment for global environmental governance.

21. Permanent Account Number (PAN) is defined under
(A) Wealth Tax
(B) GST
(C) Income Tax Act, 1961
(D) Finance Act, 1992

Ans :

(C) Income Tax Act, 1961
Explanation: The concept and requirement of a Permanent Account Number (PAN) are governed by the Income Tax Act, 1961. Section 139A of the Act empowers the tax authorities to allot a PAN to any person for the purpose of identification and to facilitate the linking of various transactions for tax purposes.

22. A marriage with a woman before completion of her iddat is.....
(A) Irregular
(B) Void
(C) Voidable
(D) None of these

Ans :

(A) Irregular
Explanation: Under Hanafi school of Muslim law, a marriage with a woman undergoing iddat (the waiting period after the dissolution of a previous marriage) is not void (batil) but merely irregular (fasid). The irregularity can be cured by waiting for the iddat period to complete and then solemnizing the marriage again.

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that the matter be referred by the Collector for the determination of the Court.

34. For Specific Performance of a contract suit is to be instituted in
(A) 3 years
(B) 3 months
(C) 6 months
(D) No specific time limit unless mentioned in the contract

Ans :

(A) 3 years
Explanation: According to Article 54 of the Schedule to the Limitation Act, 1963, the period of limitation for filing a suit for the specific performance of a contract is three years. The time from which this period begins to run is the date fixed for the performance, or, if no such date is fixed, when the plaintiff has notice that performance is refused.

35. Definition of complainant is described in Consumer Protection Act under section
(A) Section 2(1) (b)
(B) Section 20
(C) Section 21
(D) None of the above

Ans :

(A) Section 2(1) (b)
Explanation: Section 2(1)(b) of the Consumer Protection Act, 1986 (now repealed and replaced by the 2019 Act) provided an inclusive definition of a "complainant". It included a consumer, any voluntary consumer association, the Central or any State Government, or one or more consumers, where there are numerous consumers having the same interest.

36. Which of the following deals with plaint in interpleader-suits in the code of civil procedure?
(A) Order 12, Rule 1
(B) Order 17, Rule 10
(C) Order 33, Rule 18
(D) Order 35, Rule 1

Ans :

(D) Order 35, Rule 1
Explanation: Order 35 of the Code of Civil Procedure, 1908, deals specifically with interpleader suits. Rule 1 of this Order lays down the requisites of a plaint in an interpleader suit, stating that the plaint must specify that the plaintiff claims no interest in the subject matter other than for charges or costs.

37. The Family courts have concurrent jurisdiction to pass a decree for dissolution of marriage under the Indian Divorce Act: In which case the order was passed:
(A) Handa v/s. Handa (AIR 1955)
(B) Dr. Mary V/s. Dr. Vincent (AIR 1991)
(C) Peter V/s. Anglina (AIR 1992)
(D) None of the above

Ans :

(B) Dr. Mary V/s. Dr. Vincent (AIR 1991)
Explanation: In Dr. Mary v. Dr. Vincent, the Kerala High Court held that the Family Courts, established under the Family Courts Act, 1984, have jurisdiction to try cases under the Indian Divorce Act, 1869. It was decided that the jurisdiction of the District Court under the Divorce Act is now exercisable by the Family Court.

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38. Punishment for Advocates for misconduct is defined in Advocates Act, 1961 by
(A) Section 25
(B) Section 33
(C) Section 35
(D) None of the above

Ans :

(C) Section 35
Explanation: Section 35 of the Advocates Act, 1961, deals with the punishment of advocates for misconduct. It empowers the State Bar Council to refer any case of professional or other misconduct to its disciplinary committee. The committee can then impose punishments such as reprimand, suspension from practice, or removal of the advocate's name from the state roll.

39. Which one is a case of public interest
(A) Vishaka V/s State of Rajasthan
(B) Minerva Mills V/s. Union of India AIR 1980
(C) Municipal Council, Ratlam Vs. Vardichand AIR 1980
(D) All the above

Ans :

(C) Workman who is an executive or office bearer of a registered trade union in the establishment
Explanation: Under the Industrial Disputes Act, 1947, a "protected workman" is an office-bearer or executive member of a registered trade union connected with the establishment. They are granted special protection against dismissal or any alteration of service conditions by the employer during the pendency of any industrial dispute proceedings, except with the express permission of the authority.

29. A trade mark is a visual symbol applied to articles of commerce with a view to distinguish the articles from other. It is in the form of
(A) A word
(B) A device
(C) A label
(D) All the above

Ans :

(D) All the above
Explanation: The definition of a trademark under the Trade Marks Act, 1999, is very broad. It includes any mark capable of being represented graphically and distinguishing the goods or services of one person from another. This can be a device, brand, heading, label, ticket, name, signature, word, letter, numeral, shape of goods, packaging, or combination of colors.

30. The Indian Legal system has evolved a new technique of alternate dispute resolution which is popularly known as Lok Adalat. It owes its origin to the statutory recognition by passing of
(A) Legal Service Corporation Act, 1974
(B) Legal Aid and Advice Act, 1949
(C) Legal Services Authorities Act, 1987
(D) None Of the above

Ans :

(C) Legal Services Authorities Act, 1987
Explanation: While the concept of Lok Adalats existed prior, they were given statutory status and a formal legal framework through the enactment of the Legal Services Authorities Act, 1987. This Act provided for the establishment of National, State, and District Legal Services Authorities to organize Lok Adalats and provide free legal services.

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31. Shah Bano case was related to
(A) Dowry demand
(B) Harassment at work place
(C) Maintenance of divorced Muslim women
(D) Triple divorce of Muslim Women

Ans :

(C) Maintenance of divorced Muslim women
Explanation: The case of Mohd. Ahmed Khan v. Shah Bano Begum is a landmark judgment concerning the right to maintenance of a divorced Muslim woman. The Supreme Court held that a divorced Muslim woman was entitled to claim maintenance from her husband under Section 125 of the CrPC, even after the iddat period.

32. Who is garnishee
(A) A third party who is instructed by way of legal notice to surrender money to settle a debt or claim
(B) A borrower arrested for defaulting
(C) A person who cannot repay a bank loan
(D) A person who mortgaged his farm land

Ans :

(A) A third party who is instructed by way of legal notice to surrender money to settle a debt or claim
Explanation: In a garnishee proceeding (under Order 21, Rule 46 of the CPC), a "garnishee" is a third party who owes money to the judgment debtor. The court can issue an order (a garnishee order) directing this third party to pay the money directly to the judgment creditor instead of the judgment debtor.

33. Under section 18 of the Land Acquisition Act, 1894 which of the following officers is empowered to refer the matter to the court
(A) The Tahsildar
(B) The Sub Collector
(C) The Deputy Collector
(D) The Collector

Ans :

(D) The Collector
Explanation: Under Section 18 of the Land Acquisition Act, 1894 (now repealed), if any person interested in the land did not accept the award made by the Collector, they could make a written application to the Collector, requiring

(A) Mini Trial
Explanation: Section 89 of the Civil Procedure Code encourages the settlement of disputes outside the court and lists several modes of Alternative Dispute Resolution (ADR). These include arbitration, conciliation, judicial settlement including settlement through Lok Adalat, and mediation. "Mini Trial" is a form of ADR but is not explicitly mentioned in Section 89.

91. What is the maximum number of Conciliators allowed in a conciliations proceeding:
(A) 1
(B) 2
(C) 5
(D) None of the above

Ans :

(D) None of the above
Explanation: Section 63 of the Arbitration and Conciliation Act, 1996 states that there shall be one conciliator unless the parties agree that there shall be two or three conciliators. It does not permit more than three. Since the options do not reflect this rule and ask for a maximum, and '3' is not an option, 'None of the above' is correct as there's no fixed maximum beyond three.

92. What is the status of a settlement agreement in conciliation proceeding:
(A) Non-binding
(B) Same as a settlement award
(C) Unlike a settlement award
(D) None of the above

Ans :

(D) None of the above
Explanation: According to Section 74 of the Arbitration and Conciliation Act, 1996, a settlement agreement reached during conciliation has the same status and effect as if it were an arbitral award on agreed terms on the substance of the dispute rendered by an arbitral tribunal under section 30. Therefore, none of the given options are accurate.

93. Disciplinary Committee of Bar Council is Conferred the powers of Civil Court under code of Civil Procedure 1908 by-
(A) Section 36 of Advocates Act 1961
(B) Section 42 of Advocates Act 1961
(C) Section 42 A- of Advocates Act 1961
(D) Section 28 of Advocates Act 1961

Ans :

(B) Section 42 of Advocates Act 1961
Explanation: Section 42 of the Advocates Act, 1961, explicitly confers the Disciplinary Committee of a Bar Council with the powers vested in a civil court under the Code of Civil Procedure, 1908. These powers pertain to matters like summoning witnesses, requiring discovery of documents, and receiving evidence on affidavits.

94. Which one of the following is a leading case on 'Injuria Sine Damnum' ?
(A) Rylands Vs Fletcher
(B) Ashby Vs White
(C) Donougue Vs Stevension
(D) All of the Above

Ans :

(B) Ashby Vs White
Explanation: Ashby v. White is the classic and leading case illustrating the maxim injuria sine damno (legal injury without actual damage). In this case, a qualified voter was wrongfully denied the right to vote. Even though the candidate he wanted to vote for won, the court held that the infringement of his legal right to vote was actionable per se.

95. Which one is leading case on Strict Liability?
(A) Alen Vs Flood
(B) Rylands Vs Fletcher
(C) Borhil Vs Young
(D) Donougue Vs Stevension

Ans :

(B) Rylands Vs Fletcher
Explanation: The rule of strict liability in tort law was laid down in the landmark English case of Rylands v. Fletcher. The principle established is that a person who, for their own purposes, brings onto their land and collects and keeps there anything likely to do mischief if it escapes, must keep it in at their peril, and is prima facie answerable for all the damage which is the natural consequence of its escape.

96. The Latin word 'Res Ipsa Laquitur means:
(A) Things speaks its story itself.

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(D) All the above
Explanation: All the listed cases are landmark public interest litigations. Vishaka dealt with sexual harassment at the workplace. Minerva Mills dealt with the basic structure of the Constitution. Municipal Council, Ratlam was a pioneering case on environmental pollution and the duty of municipal bodies, expanding the scope of public nuisance litigation.

40. Under Section 239 CrPC, the Magistrate can
(A) Open trial for evidence
(B) Convict the accused if pleaded guilty
(C) Frame charges against the accused person
(D) Discharge the accused if charges are groundless

Ans :

(D) Discharge the accused if charges are groundless
Explanation: Section 239 of the CrPC applies to warrant cases instituted on a police report. It empowers the Magistrate, after considering the police report and documents and hearing both the prosecution and the accused, to discharge the accused if the charge against him is considered groundless. If there is ground for presumption, charges are framed under Section 240.

41. Article 213 empowers the Governor to promulgate ordinances
(A) When the state legislature is not in session
(B) During the course of legislature session
(C) On the recommendation of the state cabinet
(D) With the permission of the union government

Ans :

(A) When the state legislature is not in session
Explanation: Article 213 of the Constitution grants the Governor the power to promulgate Ordinances. This power is legislative in nature but can only be exercised when the State Legislative Assembly (or both Houses, where applicable) is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action.

42. A person arrested should not be detained more than
(A) 48 hours
(B) 24 hours
(C) 14 days
(D) 90 days

Ans :

(B) 24 hours
Explanation: Article 22(2) of the Constitution of India and Section 57 of the CrPC mandate this crucial safeguard against illegal detention. An arrested person must be produced before the nearest Magistrate within a period of 24 hours of such arrest, excluding the time necessary for the journey from the place of arrest to the Magistrate's court.

43. Who of the following Muslim is not entitled to maintenance
(A) Son who is a minor
(B) Daughter who is not married
(C) Grand parents
(D) An illegitimate son

Ans :

(D) An illegitimate son
Explanation: Under traditional Hanafi Muslim law, a father's obligation to maintain his children is limited to his legitimate offspring. An illegitimate child is not entitled to claim maintenance from his putative father, though he is entitled to maintenance from his mother. A minor son, unmarried daughter, and grandparents (if indigent) can claim maintenance.

44. In civil cases Indian Evidence Act bestows burden of proof on
(A) The Petitioner
(B) The respondents
(C) The state government
(D) The Court

Ans :

(A) The Petitioner
Explanation: Section 101 of the Indian Evidence Act states that whoever desires any court to give judgment as to any legal right or liability dependent on the existence of facts which he asserts, must prove that those facts exist. In a civil case, the petitioner or plaintiff is the one who asserts facts and seeks relief, so the initial burden of proof lies on them.

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56. Abetting the Commission of suicide is given under
(A) Section 9 of IPC
(B) Section 8 of IPC
(C) Section 7 of IPC
(D) None of the above

Ans :

(D) None of the above
Explanation: The offense of abetment of suicide is specifically defined and punished under Section 306 of the Indian Penal Code, 1860. The sections mentioned in the options (7, 8, and 9) are general explanation clauses in Chapter II of the IPC and do not define this specific offense. Therefore, none of the given options are correct.

57. Recovery of specific immovable property is defined
(A) Section of 5 of Specific Relief Act
(B) Section 120 (B) of IPC
(C) Under section 10 of Sale of goods Act
(D) None of the Above

Ans :

(A) Section of 5 of Specific Relief Act
Explanation: Section 5 of the Specific Relief Act, 1963, provides the remedy for recovery of possession of specific immovable property. It states that a person entitled to the possession of such property can recover it in the manner prescribed by the Code of Civil Procedure, 1908, typically by filing a suit based on title.

58. Section 29 of the Wealth Tax Act deals with
(A) Revision petition in division bench of High Court
(B) Appeal in Supreme Court
(C) Return of Wealth Tax
(D) None of the above

Ans :

(B) Appeal in Supreme Court
Explanation: Section 29 of the Wealth Tax Act, 1957 (now abolished), contained the provision for an appeal to the Supreme Court. It allowed an appeal from any judgment of the High Court delivered on a reference made under Section 27, if the High Court certified it to be a fit case for appeal to the Supreme Court.

59. The Collector shall under the Land Acquisition Act 1894, give immediate __ of any correction made in the award to all the persons included
(A) Approval
(B) Stay
(C) Announcement
(D) Notice

Ans :

(D) Notice
Explanation: Section 12(2) of the Land Acquisition Act, 1894 (now repealed) mandated that the Collector shall give immediate notice of his award to such of the persons interested as were not present personally or by their representatives when the award was made. This ensured that all affected parties were formally informed of the decision.

60. "A" is at work with a hatchel: the head flies off and kills a man who is standing by. If there was no want of a proper caution on the part of A, his act is excusable and not an offence. It is contained in
(A) Section 80 of IPC
(B) Section 84 of IPC
(C) Section 81 of IPC
(D) Section 85 of IPC

Ans :

(A) Section 80 of IPC
Explanation: This scenario is a classic illustration of the legal principle of "accident" provided as a general exception in Section 80 of the Indian Penal Code. The act is not an offense because it was done by accident or misfortune, without any criminal intention or knowledge, while doing a lawful act in a lawful manner by lawful means and with proper care and caution.

61. Delhi Domestic Working Women Forum v/s. Union of India, (1995) 1 SC 14, in this PIL which issue was exposed before the court
(A) The plight of some domestic maids who were sexually assaulted by army men
(B) Abolition of child labour
(C) Unemployment of domestic servants in Delhi
(D) Poor salary of maid servants

Ans :

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Explanation: The doctrine of lis pendens, which means "a suit pending," is enshrined in Section 52 of the Transfer of Property Act, 1882. This principle dictates that during the pendency of a suit or proceeding involving immovable property, the property cannot be transferred or otherwise dealt with by any party to the suit so as to affect the rights of any other party.

51. Which of the following statements is true regarding the characteristics of International Law?
(A) It is a true law
(B) It has vertical structure
(C) It has well established institutes of governance
(D) It has formal law enforcing agencies

Ans :

(A) It is a true law
Explanation: While there is debate on whether international law is "true law" in the same sense as domestic law (due to weaker enforcement mechanisms), it is generally recognized as a distinct legal system. It is a true law because states consider it legally binding. It has a horizontal structure (between sovereign equals), not vertical, and lacks a central executive or enforcement agency.

52. Deferred Mahr is payable at the time of divorce or at the time of death of spouse
(A) This statement is true under Sunni law
(B) This statement is not true
(C) Deferred mahr is payable only at the time of divorce
(D) Deferred is mahr is payable only at the time of death of the spouse

Ans :

(A) This statement is true under Sunni law
Explanation: Under Muslim law, Mahr (dower) can be prompt or deferred. Deferred Mahr becomes payable upon the dissolution of the marriage, either by the death of the husband or by divorce. The statement accurately describes the condition for the payment of deferred Mahr under Sunni jurisprudence, which is the predominant school of law in India.

53. Dying declaration must be made by
(A) The dying person in hospital
(B) The doctor who is treating the deceased in hospital
(C) The deceased before death
(D) Nearest relative of the deceased

Ans :

(C) The deceased before death
Explanation: A dying declaration, admissible under Section 32(1) of the Indian Evidence Act, is a statement made by a person as to the cause of his death, or as to any of the circumstances of the transaction which resulted in his death. It must be made by the person whose death is in question (the deceased) before their death.

54. Judgement should be delivered to the parties or to their pleaders in the open court
(A) By delivering the whole of the judgement
(B) By reading out the whole of the judgement
(C) By reading out the operative part of the judgement
(D) All of the above

Ans :

(D) All of the above
Explanation: Section 353 of the CrPC and Order XX, Rule 1 of the CPC provide for the pronouncement of judgment in open court. The procedures mentioned—delivering the whole judgment, reading out the whole judgment, or reading out the operative part and then making the signed copy available—are all valid methods for delivering a judgment.

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55. Which of the following deals with the evidence for prosecution
(A) Section 242 Cr. P.C
(B) Section 264 Cr. P.C
(C) Section 237 Cr. P.C
(D) Section 235 Cr. P.C

Ans :

(A) Section 242 Cr. P.C
Explanation: Section 242 of the CrPC is part of the chapter on the trial of warrant-cases by Magistrates. It specifically deals with the stage of "evidence for prosecution." After the charge is framed, the Magistrate proceeds to take all such evidence as may be produced in support of the prosecution's case.

(B) He may only give a change upon his property
(C) He may undertake a personal liability and charge his property as further charge
(D) All of these

Ans :

(D) All of these
Explanation: Section 145 of the CPC deals with the enforcement of liability of a surety. It provides that a surety can be held liable to the extent of their bond. This liability can be enforced against them personally or against their property, making all the described scenarios possible ways for a surety to undertake their obligation.

68. Section 49 of Factories Act 1947 explains about
(A) Canteen
(B) Creche
(C) Welfare officer
(D) Rest room

Ans :

(C) Welfare officer
Explanation: Section 49 of the Factories Act, 1948 (not 1947), makes it mandatory for factories employing 500 or more workers to appoint a prescribed number of Welfare Officers. Their duties are to ensure the welfare of the factory workers. Canteens, crèches, and restrooms are covered under other sections of the Act.

69. The word " case" used in Section 115 of the code of civil Procedure is of wide import and
(A) It means any state of facts juridically considered
(B) It includes civil proceeding other suits and is not restricted to anything contained in the section to the entirety of the proceeding in a civil court
(C) Both (1) and (2)
(D) None of these

Ans :

(C) Both (1) and (2)
Explanation: The Supreme Court has interpreted the word "case" in Section 115 (Revisional Jurisdiction of High Court) of the CPC very broadly. It is not limited to the entirety of a suit but can refer to a part of a proceeding or any state of facts that has been juridically considered, giving the High Court wide powers to correct jurisdictional errors.

70. "A" finds a purse with money not knowing to whom it belongs, he afterwards discovers that it belongs to "B" and appropriates to his own use. "A" is guilty of
(A) Criminal breach of trust
(B) Cheating
(C) Criminal misappropriation
(D) Theft white

Ans :

(C) Criminal misappropriation
Explanation: This is a classic example of criminal misappropriation of property, as defined in Section 403 of the IPC. The initial finding of the purse was innocent. However, the offense was committed when 'A', after discovering the true owner 'B', dishonestly misappropriated the money for his own use instead of attempting to return it.

71. The word "is not possessed of sufficient means" in Order 33 Rule 1 refer:
(A) To dower debt due by the petitioner's husband
(B) To property over which petitioner has actual control
(C) To sufficient property and excludes sole means livelihoods
(D) None of these

Ans :

(B) To property over which petitioner has actual control
Explanation: Order 33, Rule 1 allows a person to sue as an indigent person if they are "not possessed of sufficient means." The explanation to this rule clarifies that this refers to property other than the subject-matter of the suit and property exempted from attachment. It implies an inquiry into the assets over which the petitioner has actual control.

72. Section 22-B of Legal Services Authority Act empower the central and state Authorities to
(A) Abolish Lok Adalat
(B) Works of Lok Adalat
(C) Powers of Lok Adalat or Permenent Lok Adalat
(D) None of the above

Ans :

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(A) The plight of some domestic maids who were sexually assaulted by army men
Explanation: In this Public Interest Litigation, the forum brought to the Supreme Court's attention the plight of domestic maids who were victims of sexual assault. The Court took serious note of the issue and laid down several guidelines for providing assistance and rehabilitation to rape victims, including legal aid, counseling, and compensation.

62. Which chapter of Cyber Law provides the legal Recognition to Digital Signature
(A) Chapter III
(B) Chapter IV
(C) Chapter IX
(D) Chapter IX and X

Ans :

(A) Chapter III
Explanation: The question seems to be slightly incorrect in its options. Section 3 of the Information Technology Act, 2000, which deals with the authentication of electronic records by digital signature, falls under Chapter II. Chapter III (Sections 6-10A) deals with Electronic Governance. However, among the given choices, Chapter III is the closest relevant chapter concerning electronic records and governance.

63. The FIR gives information of
(A) Report to the Magistrate about the inquiry conducted by a police officer
(B) Report submitted to the court by the investigation officer in a criminal case
(C) The commission of a cognizable crime
(D) None of the above

Ans :

(C) The commission of a cognizable crime
Explanation: A First Information Report (FIR), as governed by Section 154 of the CrPC, is the information given to a police officer relating to the commission of a cognizable offense. It is the document that sets the criminal law in motion and forms the basis for the police to commence their investigation.

64. Control over sub ordinate courts shall be vested in the
(A) High Court
(B) Supreme Court
(C) Chief Minister
(D) Governor

Ans :

(A) High Court
Explanation: Article 235 of the Constitution of India vests the control over district courts and courts subordinate thereto in the High Court of the state. This control includes matters such as posting, promotion, and grant of leave for persons belonging to the judicial service of a state and holding any post inferior to the post of a district judge.

65. Section 34 of the CPC provides
(A) The payment of fine imposed by the court
(B) Payment of compensation to the other party
(C) Payment of interest
(D) None of the above

Ans :

(C) Payment of interest
Explanation: Section 34 of the Code of Civil Procedure, 1908, specifically deals with the court's power to award interest. It allows the court to order interest on the principal sum adjudged, from the date of the suit to the date of the decree (pendente lite interest) and from the date of the decree to the date of payment (future interest).

66. Any question suggesting the answer which the person putting it expects to receive is called
(A) Coercive question
(B) Confusing question
(C) Misleading question
(D) Rhetoric Question

Ans :

(D) Rhetoric Question
Explanation: The correct legal term for such a question is a "Leading Question" as defined in Section 141 of the Indian Evidence Act. Since "Leading Question" is not an option, there seems to be an error in the question or options provided. A rhetorical question is asked for effect rather than to get an answer, which differs from a leading question.

67. According to Clauses (i), (ii) and (iii) of Section 145 of the code of civil Procedure a surety:
(A) May render himself personally liable

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45. In which of the following of Section 59 Cr.P.C. the discharge of the arrested person by a police officer can take place
(A) On his own bond
(B) On bail
(C) Under special order of the Magistrate
(D) All of them

Ans :

(D) All of them
Explanation: Section 59 of the CrPC states that no person who has been arrested by a police officer shall be discharged except on his own bond, on bail, or under the special order of a Magistrate. It provides the exhaustive legal methods by which a person in police custody can be lawfully discharged.

46. Meaning of Industrial Dispute according to he Industrial Dispute Act, 1947 is
(A) Dispute between employers and employers
(B) Dispute between employers and workman
(C) Dispute between workmen and workmen in connection with employment and non-employment
(D) All the above

Ans :

(D) All the above
Explanation: Section 2(k) of the Industrial Disputes Act, 1947 provides a comprehensive definition. It includes any dispute or difference between employers and employers, between employers and workmen, or between workmen and workmen, that is connected with the employment, non-employment, terms of employment, or conditions of labour of any person.

47. English case Ryland V/s. Fletcher laid down a very important rule
(A) Absolute Liability
(B) Vicarious Liability
(C) Indirect Liability
(D) Financial Liability

Ans :

(A) Absolute Liability
Explanation: The case of Rylands v. Fletcher established the rule of "Strict Liability," not Absolute Liability. However, given the options, this is the closest answer. The rule states that one who brings a dangerous thing onto their land is strictly liable for any damage if it escapes. Absolute liability, a concept developed later in India, removes even the exceptions to the strict liability rule.

48. Which of the following is not an essential for a valid sale:
(A) The parties must be competent to contract
(B) There must be mental consent
(C) There must be a transfer of property
(D) There must be an agreement to sell

Ans :

(D) There must be an agreement to sell
Explanation: A sale, as defined under the Sale of Goods Act, involves the immediate transfer of property in the goods from the seller to the buyer for a price. An agreement to sell is a contract where the transfer of property is to take place at a future time. While it is a type of contract of sale, it is distinct from a completed sale.

49. "Custodial death is perhaps one of the worst crimes in a civilised society governed by the Rule of Law". In which case supreme court made this remark
(A) A. K. Gopalan V/s State of Madras
(B) M.C Mehta V/s Union of India
(C) D. K Basu V/s State of Bengal
(D) vishaka V/s State of Rajasthan

Ans :

(C) D. K Basu V/s State of Bengal
Explanation: In the landmark case of D.K. Basu v. State of West Bengal, the Supreme Court expressed deep concern over custodial violence and deaths. The Court made this profound observation while laying down a set of 11 mandatory guidelines for police to follow during arrest and detention to protect the fundamental rights of individuals.

50. Doctrine of "LIS PENDENS" is given under which section of the transfer of property Act
(A) 41
(B) 52
(C) 53
(D) 53-A

Ans :

(B) 52

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(C) Powers of Lok Adalat or Permenent Lok Adalat

Explanation: The question likely intended to refer to Section 22, which outlines the powers of Lok Adalats. Section 22B, however, specifically relates to the establishment of Permanent Lok Adalats. In either case, these sections empower the authorities to establish and define the powers of Lok Adalats for settling disputes concerning public utility services.

73. Clerical or arithmetical mistakes in judgements, decrees or orders etc. can be corrected
(A) Under Section 151 of CPC
(B) Under Section 152 of CPC
(C) Under Section 153 of CPC
(D) Under Section 153 A of CPC

Ans :

(B) Under Section 152 of CPC

Explanation: Section 152 of the Code of Civil Procedure specifically empowers the court to correct clerical or arithmetical mistakes in judgments, decrees, or orders, or errors arising therein from any accidental slip or omission. This can be done by the court on its own motion or on the application of any of the parties.

74. Any confessional statement by the accused given to the Magistrate is
(A) Admissible
(B) Not admissible
(C) Challengeable
(D) None of the above

Ans :

(A) Admissible

Explanation: A confession made to a Magistrate is considered highly reliable and is admissible as evidence, provided it is recorded in accordance with the procedure laid down in Section 164 of the CrPC. The Magistrate must ensure that the confession is voluntary and must administer the necessary warnings to the accused before recording it.

75. Supreme court has decided in Keshavanand Bharti V/s. State of Kerala, that
(A) Parliament can amend any provision of the constitution
(B) Parliament cannot amend any provision of the constitution
(C) Parliament can amend any provision of the constitution but not to alter the basic structure and basic feature of the constitution
(D) None of the above

Ans :

(C) Parliament can amend any provision of the constitution but not to alter the basic structure and basic feature of the constitution

Explanation: In the landmark case of Kesavananda Bharati v. State of Kerala, the Supreme Court enunciated the "Basic Structure Doctrine." It held that while Parliament's power to amend the Constitution under Article 368 is wide, it does not extend to altering the fundamental features or the basic structure of the Constitution, such as secularism, democracy, and judicial review.

76. Under which of the following sections of the Code of Criminal Procedure, police can arrest an accused without warrant?
(A) Section 40
(B) Section 41
(C) Section 42
(D) Section 37

Ans :

(B) Section 41

Explanation: Section 41 of the CrPC is the primary provision that grants the police the power to arrest without a warrant. It lists several circumstances under which this power can be exercised, including when a person commits a cognizable offense in the presence of a police officer or against whom a reasonable complaint has been made.

77. Financial Relations between the State and Centre are defined in constitution
(A) Between Articles 245-255
(B) Between Articles 256-263
(C) Between Articles 264 to 293
(D) None of the above

Ans :

(C) Between Articles 264 to 293

Explanation: Part XII of the Indian Constitution deals with Finance, Property, Contracts, and Suits. Chapter I of this part, which spans from Article 264 to Article 293, contains detailed

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imprisonment
(C) 3 years from the date of commencing the imprisonment
(D) 1 year when the imprisonment ends

Ans :

(D) 1 year when the imprisonment ends
Explanation: According to Article 73 of the Schedule to the Limitation Act, 1963, the period of limitation for a suit for compensation for false imprisonment is one year. The time from which this one-year period begins to run is "when the imprisonment ends."

90. Rule of Law is defined by
(A) Jeremy Bentham
(B) Sir John Salmond
(C) A.Y. Diecy
(D) Prof. Aristotle

Ans :

(C) A.Y. Diecy
Explanation: The modern concept of the Rule of Law was most famously expounded by A.V. Dicey, a British jurist. In his work "The Law of the Constitution" (1885), he formulated three key principles of the Rule of Law: the supremacy of law, equality before the law, and the predominance of the legal spirit.

91. What is the time prescribed for filing an FIR
(A) Within 24 hours
(B) Within 48 hours
(C) Within 14 days of the offence
(D) No time limit is specified

Ans :

(D) No time limit is specified
Explanation: The law does not prescribe a specific time limit for filing a First Information Report (FIR). However, it should be filed promptly and without undue delay. An unreasonable and unexplained delay can cast doubt on the credibility of the prosecution's case, but it is not, by itself, a ground for quashing the FIR.

92. Which of the following is true of rules framed by the Supreme Court with reference to appeals to it?
(A) They are a special law within Section 4 of the code of civil procedure
(B) They must take precedence over Section 114 or Order 47
(C) Both (1) and (2)
(D) None of these

Ans :

(C) Both (1) and (2)
Explanation: The rules framed by the Supreme Court under Article 145 of the Constitution are considered special law. According to Section 4 of the CPC, in the absence of a specific provision to the contrary, nothing in the Code shall limit or affect any special law. Therefore, these rules take precedence over general provisions like review under Section 114.

93. Which section of Sale of Goods Act 1930 deal with anticipatory breach of contract
(A) Section 50
(B) Section 65
(C) Section 60
(D) Section 70

Ans :

(C) Section 60
Explanation: Section 60 of the Sale of Goods Act, 1930, deals with the anticipatory breach of contract. It provides that if either party to a contract of sale repudiates the contract before the date of delivery, the other party may either treat the contract as subsisting and wait till the date of delivery, or he may treat the contract as rescinded and sue for damages.

94. Criminal proceedings against the infringer is enabled in the Copyright- act by invoking the provisions
(A) Section 13-16
(B) Section 17-27
(C) Section 63-70
(D) None of the above

Ans :

(C) Section 63-70
Explanation: Chapter XIII of the Copyright Act, 1957, which includes Sections 63 to 70, deals with the offenses related to copyright infringement. Section 63 specifically makes knowing infringement of copyright a criminal offense, punishable with imprisonment and a fine, thereby enabling criminal proceedings against infringers alongside civil remedies.

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(D) All of the above

Ans :

(A) Process of Conciliation.
Explanation: The Arbitration and Conciliation Act, 1996, is divided into different parts. Part I deals with domestic arbitration, Part II with the enforcement of foreign awards, and Part III, which spans from Section 61 to 81, specifically lays down the legal framework and procedure for conducting conciliation proceedings in India.

84. Separation of judiciary form Executive is guaranteed in constitution under Article
(A) 19
(B) 21
(C) 48-A
(D) 50

Ans :

(D) 50
Explanation: Article 50 of the Indian Constitution, which is a part of the Directive Principles of State Policy, explicitly provides for the separation of the judiciary from the executive. It directs the State to take steps to separate the two in the public services of the State to ensure the independence of the judiciary.

85. In-camera trials is conducted in the cases charged under section
(A) 302 IPC
(B) 307 IPC
(C) 376 IPC
(D) 498-A IPC

Ans :

(C) 376 IPC
Explanation: Section 327(2) of the CrPC mandates that the inquiry into and trial of rape or an offence under Section 376 of the IPC shall be conducted in-camera. This is done to protect the privacy and dignity of the victim and to encourage them to testify without fear or embarrassment in a closed court proceeding.

86. In the tort of conspiracy, the purpose of combination must be to
(A) Violate legal right of the victim
(B) Cause damage to the victim
(C) Obtain benefit for the combiners
(D) Perfect the interest of combiners

Ans :

(B) Cause damage to the victim
Explanation: The tort of conspiracy occurs when two or more persons combine to cause damage to another person, which results in actual damage. The predominant purpose of the combination must be to injure the plaintiff, rather than merely to advance the legitimate interests of the combiners, even if that action incidentally harms the plaintiff.

87. Cancellation of instrument is mentioned in
(A) Section 8-25 of Specific Relief Act
(B) Section of 26 of Specific Relief Act
(C) Section 31-33 of Specific Relief Act
(D) Section 36-42 of Specific Relief Act

Ans :

(C) Section 31-33 of Specific Relief Act
Explanation: Sections 31, 32, and 33 of the Specific Relief Act, 1963, deal with the cancellation of instruments. Section 31 empowers a court to adjudge an instrument void or voidable and order it to be delivered up and cancelled. Sections 32 and 33 provide details on what instruments can be partially cancelled and the power to require restoration of benefits.

88. Unfair labour practice by the employers
(A) Victimization
(B) False implication in criminal case
(C) Untrue allegations of absence without leave
(D) All the above

Ans :

(D) All the above
Explanation: The Fifth Schedule of the Industrial Disputes Act, 1947, lists various acts that constitute "Unfair Labour Practices" on the part of employers. This list includes victimizing workmen, falsely implicating an employee in a criminal case on false evidence, and making untrue allegations of absence without leave, among many other practices.

89. A suit for compensation for false imprisonment, the period of limitation is
(A) 3 years form the date of sentencing the Judgement
(B) 3 years from the date of release from

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provisions governing the financial relations between the Union and the States, including the distribution of revenues, grants-in-aid, and borrowing powers.

78. Mahatma Gandhiji was jailed and prosecuted by British regime in 1922 at Ahmedabad under Section 124 (A) of IPC for
(A) Calling Hartal
(B) Breaching public peace and tranquillity
(C) Sedition and disaffection to the government
(D) None of the above

Ans :

(C) Sedition and disaffection to the government
Explanation: In 1922, Mahatma Gandhi was arrested and tried on charges of sedition under Section 124A of the Indian Penal Code. The prosecution was for articles he had written in his journal 'Young India,' which the British government deemed were intended to excite disaffection towards the government established by law.

79. Police can seek a bond for good behaviour under Sections 109 and 110 of CrPC from
(A) Habitual offenders
(B) White collar criminals
(C) Jail inmates
(D) None of the above

Ans :

(A) Habitual offenders
Explanation: Sections 109 and 110 of the CrPC are preventive measures. Section 109 deals with suspected persons with no ostensible means of subsistence, while Section 110 specifically targets habitual offenders, allowing an Executive Magistrate to require them to execute a bond for their good behaviour for a period not exceeding three years.

80. Dayabhaga school Presumes that "a family because it is joint possesses joint property"
(A) This statement is correct
(B) This presumption is under Mitakshara school
(C) This statement is incorrect
(D) None of these

Ans :

(B) This presumption is under Mitakshara school
Explanation: This presumption is a hallmark of the Mitakshara school of Hindu law, not the Dayabhaga school. Under Mitakshara law, the joint family property is a creation of law, and the family is presumed to be joint. In contrast, under Dayabhaga law, there is no presumption of joint property; it must be proven to exist.

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81. An Appeal Against Order Passed under Section 27 of the Consumer Protection Act, 1986 by the National Commission lies in
(A) The High Court
(B) The Supreme Court
(C) The Central Government
(D) Not Appealable

Ans :

(B) The Supreme Court
Explanation: Section 27A of the Consumer Protection Act, 1986, provided for an appeal against an order made by the National Commission under Section 27 (which deals with penalties for non-compliance). This section specified that such an appeal would lie to the Supreme Court of India.

82. Which is the body that award punishments to the advocates for misconduct
(A) Ethics Committee
(B) Professional Development Committee
(C) Disciplinary Committee
(D) High Court

Ans :

(C) Disciplinary Committee
Explanation: Under the Advocates Act, 1961, the power to inquire into and punish advocates for professional or other misconduct is vested in the Disciplinary Committees of the State Bar Councils and the Bar Council of India. These committees have powers similar to a civil court and can impose penalties like reprimand, suspension, or removal from the rolls.

83. Part III of Arbitration and Conciliation Act, 1996 formalizes
(A) Process of Conciliation.
(B) Process of Arbitration
(C) Enforcement of Foreign awards under New York and Geneva Conventions.

95. Which section of Indian Registration Act, 1908 provides with compulsory registration of Instrument of Gifts and Immovable Properties
(A) Section 11
(B) Section 13
(C) Section 17
(D) None of the above

Ans :

(C) Section 17
Explanation: Section 17 of the Indian Registration Act, 1908, lists the documents of which registration is compulsory. This includes instruments of gift of immovable property and other non-testamentary instruments which purport or operate to create, declare, assign, limit or extinguish any right, title or interest, of the value of one hundred rupees and upwards, to or in immovable property.

96. State government's power to control the road transport is provided in the Motor Vehicle Act 1988 under section
(A) 67 of MV Act 1988
(B) 68 of MV Act 1988
(C) 69 of MV Act 1988
(D) None of the above

Ans :

(A) 67 of MV Act 1988
Explanation: Section 67 of the Motor Vehicles Act, 1988, empowers the State Government to control road transport. It allows the state to issue directions to the State or Regional Transport Authorities regarding the fixing of fares for stage carriages, contract carriages, and rental motor cabs, to prevent restrictive practices and ensure efficient services.

97. Which is not the Private Right
(A) Rights of property
(B) Right of freedom.
(C) Rights to Education
(D) All the above

Ans :

(D) All the above
Explanation: Rights of property, freedom, and education are considered fundamental or constitutional rights, which are public law rights enforceable against the state, rather than private rights enforceable against individuals (which are typically governed by contract or tort law). While they have private dimensions, in the constitutional context, they are not purely private rights.

98. Which one of the following is true of summons under Section 61 CrPC?
(A) It is milder form of process
(B) It is for appearance
(C) It is for producing documents or thing
(D) All of them

Ans :

(D) All of them
Explanation: A summons is considered a milder form of process compared to a warrant. Under the CrPC, it can be issued to compel a person's appearance in court (Section 61) or to compel them to produce a document or a thing (Section 91). Therefore, all the statements accurately describe the nature and purpose of a summons.

99. The Kashmira Singh Vs. State of Punjab is a leading case on
(A) Dying Declaration
(B) Admission
(C) Confession
(D) None of the above

Ans :

(C) Confession
Explanation: The case of Kashmira Singh v. State of M.P. (not Punjab) is a landmark judgment on the evidentiary value of a confession made by a co-accused. The Supreme Court held that such a confession is a very weak type of evidence and cannot be used as the sole basis for conviction. It can only be used to lend assurance to other evidence on record.

100. What is main objective of Section 138 of Negotiable Instruments Act
(A) Recovery of stolen property
(B) Recovery of seized vehicles from RTO
(C) Recovery of the cheque amount in case cheque issued by the payer is bounced
(D) None of the above

Ans :

(C) Recovery of the cheque amount in case cheque issued by the payer is bounced

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(B) For corroborating the witness
(C) Incorporating in the charge sheet
(D) Discharging the accused

Ans :

(A) For contradicting the witness
Explanation: According to Section 162 of the CrPC, a statement made to a police officer during an investigation cannot be used as substantive evidence. However, its use is permitted under the proviso to contradict a prosecution witness in the manner provided by Section 145 of the Indian Evidence Act. It cannot be used for corroboration.

41. Power of taking cognizance of offence by a Magistrate of First class or second class is provided
(A) Under Section 173 of Criminal Procedure Code
(B) Under Section 190 of Criminal Procedure Code
(C) Under Section 190 of Indian Penal Code
(D) None of the above

Ans :

(B) Under Section 190 of Criminal Procedure Code
Explanation: Section 190 of the CrPC is the primary provision that empowers a Magistrate of the first class, and any Magistrate of the second class specially empowered, to take cognizance of any offense. Cognizance can be taken upon receiving a complaint, upon a police report, or upon information received from any person other than a police officer.

42. Additions or alteration of charges is provided in CrPC
(A) Under Section 214
(B) Under Section 215
(C) Under Section 216
(D) Under Section 210

Ans :

(C) Under Section 216
Explanation: Section 216 of the Criminal Procedure Code grants the court the power to alter or add to any charge at any time before the judgment is pronounced. This ensures that if new evidence comes to light or an error is discovered, the charges can be amended to reflect the true nature of the offense being tried.

43. Under Sections 59 to 60 of Indian Act the oral statement Evidence means
(A) All statements made before the Court by the witness
(B) All statement made before the police by the accused
(C) All statement of facts which a witness heard to say
(D) All of the above

Ans :

(A) All statements made before the Court by the witness
Explanation: Section 3 of the Indian Evidence Act defines "oral evidence" as all statements which the court permits or requires to be made before it by witnesses, in relation to matters of fact under inquiry. Section 60 further mandates that oral evidence must be direct, meaning the witness must have perceived the fact with their own senses.

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44. Under the Evidence Act, Court includes
(A) All Judges
(B) All Magistrates
(C) All Arbitrators
(D) (1) and (2)

Ans :

(D) (1) and (2)
Explanation: Section 3 of the Indian Evidence Act, 1872, defines "Court" for the purposes of the Act. The definition inclusively covers all Judges and Magistrates, and all persons legally authorized to take evidence. However, it explicitly excludes arbitrators from this definition. Therefore, a court includes judges and magistrates but not arbitrators.

45. Admissibility of contents of electronic records may be proved in accordance with the provisions of
(A) Under Section 61 of Indian Evidence Act
(B) Under Section 65 of Indian Evidence Act
(C) Under Section 65-B of Indian Evidence Act
(D) None of the above

Ans :

ALL INDIA BAR EXAMINATION XI

1. The word 'Ombudsman' is derived from-
(A) French administration
(B) British Administration
(C) Swedish Administration
(D) German Administration.

Ans :

(C) Swedish Administration
Explanation: The term 'Ombudsman' originated in Sweden and is derived from the Swedish language, where it means "legal representative" or "agent." The first parliamentary Ombudsman was established in Sweden in 1809 to safeguard the rights of citizens by investigating and addressing complaints of mal-administration by public authorities.

2. Under Section 3 of the Commission of Inquiry Act, 1952, an inquiry Commission is appointed by-
(A) Central Government or State Government
(B) Union Public Services Commission
(C) State Public commission
(D) Supreme Court of India

Ans :

(A) Central Government or State Government
Explanation: Section 3 of the Commissions of Inquiry Act, 1952, grants the power to appoint a Commission of Inquiry to the "appropriate Government." This term is defined to mean the Central Government for matters relating to the Union, and the State Government for matters relating to the State, allowing either to form such a commission.

3. Information Technology Act was enacted in-
(A) 1988
(B) 1996
(C) 2000
(D) 2004

Ans :

(C) 2000
Explanation: The Information Technology Act, the primary law in India dealing with cybercrime and e-commerce, was enacted by the Parliament of India in the year 2000. It was a significant legislative step to provide a legal framework for electronic governance by giving recognition to electronic records and digital signatures.

4. Government of India passed Information Technology Act in 2000 with objective-
(A) To provide legal sanction to all transaction for e-commerce
(B) To facilitate electronic filing of all documents to the Government
(C) To amend Indian Penal Code, Indian Evidence Act, to punish the cyber crimes
(D) All of the above

Ans :

(D) All of the above
Explanation: The Information Technology Act, 2000, was enacted with multiple objectives. These included providing legal recognition for transactions carried out via electronic means (e-commerce), facilitating the electronic filing of documents with government agencies (e-governance), and amending other key statutes like the IPC and Evidence Act to incorporate provisions related to cybercrimes and electronic evidence.

5. What is meant by Homicide -
(A) Suicide by human being not at home
(B) Suicide at home
(C) Killing of a human being by another human being
(D) Killing of human being by animal

Ans :

(C) Killing of a human being by another human being
Explanation: Homicide is derived from the Latin words 'homo' (man) and 'caedere' (to cut or kill). In legal terminology, it refers to the act of one human being causing the death of another.

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It is the genus, while specific offenses like murder and culpable homicide not amounting to murder are its species.

6. Adulteration of food or drink is a punishable offence
(A) Under Section 274-276 of IPC
(B) Under Section 277-278 of IPC
(C) Under Section 272-273 of IPC
(D) None of the above

Ans :

(C) Under Section 272-273 of IPC
Explanation: Sections 272 and 273 of the Indian Penal Code deal with offenses related to the adulteration of food or drink intended for sale. Section 272 criminalizes the adulteration itself with the intent to sell, while Section 273 punishes the act of selling any food or drink known to be noxious.

7. Maximum punishment for waging a war against the Government of India under IPC is
(A) Rigorous imprisonment up to 5 years
(B) Rigorous imprisonment up to 10 years
(C) Rigorous imprisonment for life term
(D) Death sentence

Ans :

(D) Death sentence
Explanation: Section 121 of the Indian Penal Code deals with the offense of waging, attempting to wage, or abetting the waging of war against the Government of India. This is considered one of the most serious offenses against the State, and the prescribed punishment is death, or imprisonment for life, along with a fine.

8. Offences relating to elections are -
(A) Contained in the IPC as originally enacted
(B) Are introduced in the IPC by a subsequent amendment
(C) Are not covered by IPC
(D) None of the above

Ans :

(B) Are introduced in the IPC by a subsequent amendment
Explanation: The offenses relating to elections, covered under Chapter IXA (Sections 171A to 171I) of the Indian Penal Code, were not part of the original code of 1860. This chapter was inserted by the Indian Elections Offences and Inquiries Act, 1920, to specifically address crimes like bribery and undue influence during elections.

9. Rupa Bajaj V/s. KPS Gill, is a famous case which the Supreme Court decided on
(A) Wrongful restraint
(B) Wrongful confinement
(C) Outrage the modesty of a woman
(D) Maintenance to the divorced woman

Ans :

(C) Outrage the modesty of a woman
Explanation: In the case of Rupa Deol Bajaj v. Kanwar Pal Singh Gill, the Supreme Court held that the act of slapping a woman on her posterior amounted to outraging her modesty under Section 354 of the IPC. The court established that the test is whether the act is capable of shocking the sense of decency of a woman.

10. The case Krishna Gopal V/s State of MP relates to
(A) Water pollution
(B) Air and water pollution
(C) Noise and air pollution
(D) Water and noise pollution

Ans :

(C) Noise and air pollution
Explanation: The case of Krishna Gopal v. State of M.P. is a significant judgment concerning noise pollution. The Madhya Pradesh High Court held that noise pollution is a public nuisance and a violation of the right to life under Article 21 of the Constitution. The court issued directions to control noise from various sources, including loudspeakers and industrial activities.

11. What is the punishment for advocates if the established findings of the Bar Council is misappropriation
(A) Impose a fine
(B) Name of the advocate will be struck off from the Rolls
(C) Suspension from practice
(D) All of the above

Ans :

(D) All of the above

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Explanation: Under Section 35 of the Advocates Act, 1961, if a Disciplinary Committee finds an advocate guilty of professional misconduct such as misappropriation of client funds, it can impose various punishments. These include reprimand, suspension from practice for a certain period, or the most severe penalty of removing the advocate's name from the roll of advocates.

12. On being aggrieved by the order of state Bar Council, one can appeal to
(A) High Court
(B) Supreme Court
(C) Bar Council of India
(D) Indian Law Commission

Ans :

(C) Bar Council of India
Explanation: Section 37 of the Advocates Act, 1961, provides for an appeal against an order of the Disciplinary Committee of a State Bar Council. Any person aggrieved by such an order, including the Advocate-General of the State, can prefer an appeal to the Bar Council of India within sixty days of the date of the communication of the order.

13. Which Section of Advocates Act provides punishment for misconduct of advocates
(A) Section 29
(B) Section 35
(C) Section 37
(D) All of the above

Ans :

(B) Section 35
Explanation: Section 35 of the Advocates Act, 1961, is the primary provision that deals with the punishment of advocates for professional or other misconduct. It empowers the State Bar Council to refer complaints to its Disciplinary Committee, which can then impose punishments ranging from a reprimand to removal from the state roll of advocates.

14. Section 24 of Advocate Act deals with
(A) Qualification of advocates who should be enrolled in the bar
(B) Qualification to become the Advocate General
(C) Qualification to become the Solicitor General of India
(D) (2) and (3)

Ans :

(A) Qualification of advocates who should be enrolled in the bar
Explanation: Section 24 of the Advocates Act, 1961, prescribes the qualifications for a person to be admitted as an advocate on a State roll. The essential qualifications include being a citizen of India, having completed twenty-one years of age, and possessing a degree in law from a recognized university.

15. Under the Workmen's Compensation Act, which is helpful in deciding the extent of injury for compensation
(A) Insurance certificate
(B) Medical examination
(C) Medical Certificate
(D) (2) and (3)

Ans :

(D) (2) and (3)
Explanation: Under the Workmen's Compensation Act, 1923 (now the Employee's Compensation Act), both the medical examination of the injured workman and the subsequent medical certificate issued by a qualified medical practitioner are crucial. They serve as primary evidence to determine the nature and extent of the injury and the corresponding loss of earning capacity for calculating compensation.

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16. Section 23 of Workmen Compensation Act, 1923 says that the commissioner shall have the power of -
(A) A Court
(B) A Tribunal
(C) A quasi judicial form
(D) All of the above

Ans :

(A) A Court
Explanation: Section 23 of the Workmen's Compensation Act, 1923, confers upon the Commissioner the powers and jurisdiction of a Civil Court. These powers are for the purposes of taking evidence on oath, enforcing the attendance of witnesses, and compelling the production of documents, making the

proceedings before the Commissioner judicial in nature.

17. The objective of the Industrial Dispute Act 1947 is -1
(A) Industrial peace and economic justice2
(B) To create harmonious relation between employer and employee3
(C) To prevent illegal strike or lockout etc.4
(D) All of the abov5e

Ans :

(D) All of the above
Explanation: The Industrial Disputes Act, 1947, has a broad set of objectives aimed at maintaining industrial harmony. These include the investigation and settlement of industrial disputes, preventing illegal strikes and lockouts, promoting collective bargaining, and securing industrial peace and economic justice to create a harmonious relationship between employers and employees.

18. Section 2 (q) of Industrial Dispute Act 1947 provides the definition of -
(A) Lock out
(B) Lay off
(C) Strike
(D) Hartal

Ans :

(C) Strike
Explanation: Section 2(q) of the Industrial Disputes Act, 1947, defines the term "strike". It describes a strike as a cessation of work by a body of persons employed in any industry acting in combination, or a concerted refusal, or a refusal under a common understanding, of any number of persons who are or have been so employed to continue to work.

19. The Land Acquisition Act came into force from
(A) 1st March, 1955
(B) 1st March, 1986
(C) 1st March, 1994
(D) 1st March, 1894

Ans :

(D) 1st March, 1894
Explanation: The Land Acquisition Act, a colonial-era legislation to facilitate the acquisition of private land for public purposes, was enacted in 1894. According to its commencement clause, the Act officially came into force on the first day of March, 1894. This Act has since been repealed and replaced by the 2013 Act.

20. Under the Land Acquisition Act, the arable land means
(A) Useful for residential purpose
(B) Useful for cultivation
(C) Useful for industrial purpose
(D) Useful for commercial purpose

Ans :

(B) Useful for cultivation
Explanation: In the context of the Land Acquisition Act, 1894, "arable land" refers to land that is fit for cultivation or tillage. The Act contained specific provisions regarding the acquisition of arable land, particularly concerning the urgency clause under Section 17, which allowed for immediate possession without the usual inquiry.

21. Section 154 under IT Act is;
(A) For filing return of income
(B) For filing return with late fee
(C) Rectification of mistakes
(D) Appeal against the order passed by the IT

Ans :

(C) Rectification of mistakes
Explanation: Section 154 of the Income Tax Act, 1961, empowers an income-tax authority to rectify any mistake apparent from the record. This can be done by the authority on its own motion or when a mistake is brought to its notice by the assessee. The purpose is to correct obvious errors in any order passed by the authority.

22. Which of the following is not included in the Capital Asset under Section 2 (14) of Income Tax Act
(A) Any stock in trade
(B) Special Bearer Bonds 1991 issued by Central Government
(C) Both (1) and (2)
(D) None of the above

Ans :

(A) Any stock in trade

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Explanation: Section 2(14) of the Income Tax Act defines "capital asset" broadly but provides specific exclusions. The most significant exclusion is stock-in-trade (other than securities), consumable stores, or raw materials held for the purposes of business or profession. Profits from the sale of stock-in-trade are treated as business income, not capital gains.

23. The language which is to be used in the arbitral proceedings is decided by
(A) The Tribunal
(B) Parties understanding to decide by mutual
(C) The petitioner
(D) The Defendant

Ans :

(B) Parties understanding to decide by mutual
Explanation: Section 22 of the Arbitration and Conciliation Act, 1996, states that the parties are free to agree upon the language or languages to be used in the arbitral proceedings. In the absence of such an agreement, the arbitral tribunal shall determine the language to be used in the proceedings.

24. The Arbitral proceedings shall stand terminated
(A) On making on the final award
(B) By an order of the arbitral tribunal
(C) When the parties to the dispute agrees to terminate proceedings
(D) All of the above

Ans :

(D) All of the above
Explanation: Section 32 of the Arbitration and Conciliation Act, 1996, specifies the conditions for the termination of arbitral proceedings. Proceedings terminate with the making of the final arbitral award, by an order of the tribunal if the claim is withdrawn or the parties agree to terminate, or if the tribunal finds continuation unnecessary or impossible.

25. Every Award of a Lok Adalat is deemed to be a
(A) Order of district collector
(B) Order of Income Tax commissioner
(C) Decree of a civil court
(D) (1) and (2)

Ans :

(C) Decree of a civil court
Explanation: According to Section 21 of the Legal Services Authorities Act, 1987, every award of the Lok Adalat shall be deemed to be a decree of a civil court. This legal fiction gives the award the same force and enforceability as a civil court decree, and it is final and binding on all parties to the dispute.

26. The Arbitration and Conciliation Act, 1996 Section 18-27 states
(A) The Conducting of Arbitral proceedings
(B) Receipt and Written Communications
(C) External of judicial intervention
(D) Awarding final decision

Ans :

(A) The Conducting of Arbitral proceedings
Explanation: Chapter V of the Arbitration and Conciliation Act, 1996, which encompasses Sections 18 to 27, deals with the "Conduct of Arbitral Proceedings." This chapter covers crucial procedural aspects such as equal treatment of parties (Section 18), determination of rules of procedure (Section 19), place of arbitration (Section 20), and statements of claim and defense (Section 23).

27. Which is the authority that determines the language of the Court other than High Court within a given state, under Section 271 of Cr.P.C.
(A) State Government
(B) Central Government
(C) Supreme Court of India
(D) Both (1) and (2)

Ans :

(A) State Government
Explanation: Section 272 (not 271) of the Criminal Procedure Code provides that the State Government may determine what shall be, for the purposes of the Code, the language of each Court within the State other than the High Court. This allows states to designate regional languages for proceedings in subordinate courts.

28. A decree can be -
(A) Final
(B) Preliminary
(C) Only Preliminary not final
(D) Either preliminary or final

Ans :

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Explanation: The primary objective of Section 138 of the Negotiable Instruments Act, 1881, is to enhance the acceptability of cheques in commercial transactions by making cheque bouncing a criminal offense. It aims to provide a speedy remedy for the recovery of the cheque amount and to instill confidence in the efficacy of banking instruments.

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(A) Concurrent list.
Explanation: The Criminal Procedure Code is listed under Entry 2 of the Concurrent List (List III) in the Seventh Schedule of the Constitution of India. This means that both the Parliament of India and the State Legislatures have the power to make laws on this subject, though central law prevails in case of a conflict.

35. Bailable and Non-Bailable offence has been defined in-
(A) Section 2 (a) of CrPC
(B) Section 2 (b) of CrPc
(C) Section 2 (c) of CrPc
(D) Section 20 of IPC

Ans :

(A) Section 2 (a) of CrPC
Explanation: Section 2(a) of the Code of Criminal Procedure, 1973, defines "bailable offence." It states that a bailable offence means an offence which is shown as bailable in the First Schedule of the CrPC, or which is made bailable by any other law. Any other offence is considered a "non-bailable offence."

36. Under Section 21 of CrPC Special Executive appointed by Magistrate may be
(A) Central Government
(B) High Court
(C) Supreme Court
(D) State Government

Ans :

(D) State Government
Explanation: Section 21 of the Criminal Procedure Code provides that the State Government may appoint, for such term as it may think fit, Executive Magistrates, to be known as Special Executive Magistrates, for particular areas or for the performance of particular functions and confer on them such powers as are conferrable on an Executive Magistrate.

37. Police may carry out personal search on an arrested person
(A) Under Section 49, CrPC
(B) Under Section 50, CrPC
(C) Under Section 51, CrPC
(D) Under Section 52, CrPC

Ans :

(C) Under Section 51, CrPC
Explanation: Section 51 of the CrPC empowers a police officer to search an arrested person. It provides that whenever a person is arrested and cannot be released on bail, the officer making the arrest may search such person and place in safe custody all articles, other than necessary wearing-apparel, found upon him.

38. The Special Court is-
(A) Not subordinate to High Court
(B) Superior to High Court
(C) Supplement to High Court
(D) Equal to Supreme Court

Ans :

(A) Not subordinate to High Court
Explanation: The question is ambiguous, but generally, Special Courts are created by statute for specific cases and are considered to be of the same rank as a Court of Session. As such, their decisions are appealable to the High Court, making them judicially subordinate. However, administratively, they might not be under the High Court in the same way as regular courts. The intended answer is likely that they are not subordinate, in the sense of being a distinct statutory creation.

39. The powers under Section 159 of CrPC can be exercised by a magistrate
(A) When the police decides not to investigate the case
(B) When the investigation is still going on
(C) Both (1) and (2)
(D) None of the above

Ans :

(C) Both (1) and (2)
Explanation: Section 159 of the CrPC empowers a Magistrate, upon receiving a report under Section 157, to direct an investigation. It also allows the Magistrate to proceed to hold a preliminary inquiry into the case, or otherwise to dispose of the case in the manner provided in the Code. This power can be invoked when the police are investigating or even if they decide not to.

40. Statement recorded during investigation under Section 161 can be used in trial
(A) For contradicting the witness

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(D) Either preliminary or final
Explanation: As per the definition in Section 2(2) of the Code of Civil Procedure, 1908, a decree can be either preliminary or final. A preliminary decree declares the rights of the parties but leaves further proceedings to be taken before the suit is completely disposed of. A final decree completely disposes of the suit.

29. Foreign Judgement is defined in CPC-
(A) Under Section 2(7) of CPC
(B) Under Section 2 (6) of CPC
(C) Under Section 2(8) of CPC
(D) None of the above

Ans :

(B) Under Section 2 (6) of CPC
Explanation: Section 2(6) of the Code of Civil Procedure, 1908, provides a concise definition of a "foreign judgment." It simply states that a "foreign judgment" means the judgment of a foreign Court. A "foreign Court" is defined in the preceding sub-section, 2(5), as a court situated outside India and not established by the Central Government.

30. The provision of establishing Public Service Commission is made under
(A) Article 310
(B) Article 315
(C) Article 320
(D) Article 325

Ans :

(B) Article 315
Explanation: Article 315 of the Indian Constitution provides for the establishment of Public Service Commissions. It mandates that there shall be a Union Public Service Commission (UPSC) for the Union and a State Public Service Commission for each State. It also allows for a Joint Public Service Commission for two or more States if they agree.

31. Right to personal liberty includes
(A) Right against custodial violence
(B) Right of under trials to separate them from convicted
(C) Right against Public hanging
(D) All of the above

Ans :

(D) All of the above
Explanation: Through a series of landmark judgments, the Supreme Court has interpreted the Right to Life and Personal Liberty under Article 21 expansively. This includes the right against custodial violence (D.K. Basu v. State of West Bengal), the right of undertrials to be separated from convicts, and the right against public hanging (Attorney General of India v. Lachma Devi).

32. The Supreme Commander of the Defence Force of India is -
(A) President
(B) Prime Minister
(C) The Defence Minister
(D) Chief Marshal

Ans :

(A) President
Explanation: According to Article 53(2) of the Constitution of India, the supreme command of the Defence Forces of the Union shall be vested in the President. This means the President of India is the ceremonial head of the Indian Armed Forces, though the actual executive power is exercised by the government headed by the Prime Minister.

33. Retirement age of Supreme Court Judges is
(A) 62 years
(B) 60 years
(C) 58 years
(D) 65 years

Ans :

(D) 65 years
Explanation: As per Article 124(2) of the Constitution of India, a Judge of the Supreme Court shall hold office until they attain the age of sixty-five years. This is different from High Court judges, whose retirement age is sixty-two years. The tenure is fixed to ensure the independence of the judiciary.

34. Criminal Procedure Code is a subject of-
(A) Concurrent list.
(B) State list
(C) Union list
(D) None of the above

Ans :

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(C) Under Section 65-B of Indian Evidence Act
Explanation: Section 65-B of the Indian Evidence Act was introduced to deal specifically with the admissibility of electronic records. It lays down the conditions that must be satisfied for any information contained in an electronic record to be deemed a document and to be admissible in any proceedings without further proof or production of the original.

46. Which is not a public record as per the provisions of Indian Evidence Act
(A) Document forming the acts or records of the sovereign authority
(B) Documents forming the acts or records of official bodies, tribunals
(C) Documents and correspondence from advocate and Notary office
(D) Documents and circulars from University of Delhi

Ans :

(C) Documents and correspondence from advocate and Notary office
Explanation: Section 74 of the Indian Evidence Act defines "public documents." This includes records of sovereign authorities, official bodies, and public records kept of private documents. Correspondence from a private advocate's office is a private document. While a notary is a public officer, their private correspondence is not a public record.

47. Section 67 of Motor Vehicle Act 1988 provides
(A) Possession of driving licence while
(B) Possession of Insurance certificate and PUC certificate in the vehicle
(C) Revoking driving licence if drunk drive is detected
(D) State government's power to control the road transport

Ans :

(D) State government's power to control the road transport
Explanation: Section 67 of the Motor Vehicles Act, 1988, specifically empowers the State Government to control road transport. This includes the power to issue directions to the State or Regional Transport Authorities regarding matters such as fixing fares, preventing overcrowding, and ensuring the efficient operation of transport services in the public interest.

48. Under the Hindu Adoptions and Maintenance Act, the person who is taken in adoption
(A) Must be a Hindu only
(B) A Hindu or Jew
(C) May be Hindu or Christian
(D) None of the above

Ans :

(A) Must be a Hindu only
Explanation: Section 10 of the Hindu Adoptions and Maintenance Act, 1956, lays down the conditions for a person who may be adopted. The primary condition is that the person being adopted must be a Hindu. The Act does not permit the adoption of a non-Hindu child under its provisions.

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49. Polygamy was permitted in Hindus before the year
(A) 1956
(B) 1954
(C) 1955
(D) 1978

Ans :

(C) 1955
Explanation: Before the enactment of the Hindu Marriage Act in 1955, Hindu personal law was largely uncodified and permitted polygamy (a man having multiple wives). The Hindu Marriage Act, 1955, codified the law of marriage and for the first time made monogamy a strict rule for all Hindus, rendering any second marriage during the subsistence of the first one void.

50. Mohan gets married to his sister's daughter Kriti
(A) The marriage is valid if the custom allows it
(B) The marriage is void
(C) The marriage is valid only if the Court approves it
(D) The marriage is valid only the Panchayat permits

Ans :

(A) The marriage is valid if the custom allows it

(D) All of the above

Ans :

(A) In the interest of general public
Explanation: Article 19(5) of the Constitution allows for the imposition of reasonable restrictions on the right to move freely throughout the territory of India (Article 19(1)(d)). These restrictions can be imposed only on two grounds: "in the interests of the general public" or for the "protection of the interests of any Scheduled Tribe."

63. Which of the following can claim Article 19 of constitution
(A) A company
(B) A corporation
(C) Only citizens
(D) Citizens and aliens

Ans :

(C) Only citizens
Explanation: The six fundamental freedoms guaranteed under Article 19 of the Constitution, such as freedom of speech and expression, are exclusively available to the citizens of India. Non-citizens (aliens) and artificial legal persons like companies or corporations cannot claim these rights, as established in cases like State Trading Corporation of India Ltd. v. CTO.

64. Clause (3) of Article 20 of the Indian Constitution says that no accused person shall be compelled to be -
(A) An accused
(B) A witness
(C) A witness against himself
(D) Hostile witness

Ans :

(C) A witness against himself
Explanation: Article 20(3) of the Constitution provides the fundamental right against self-incrimination. It explicitly states that "No person accused of any offence shall be compelled to be a witness against himself." This protection is a cornerstone of criminal jurisprudence, ensuring that the burden of proof remains on the prosecution.

65. Indra Sawhney V/s Union of India is popularly known as
(A) Judges Transfer case
(B) Illegal Detention case
(C) Mandal Commission case
(D) Constitutional case

Ans :

(C) Mandal Commission case
Explanation: The case of Indra Sawhney & Ors. v. Union of India is famously known as the Mandal Commission case. In this landmark judgment, the Supreme Court upheld the implementation of the Mandal Commission's recommendations for providing reservations to Other Backward Classes (OBCs) in government jobs, while also laying down the 50% cap on total reservations.

66. Due to the outcome of this case slum dwellers were benefitted wan
(A) NK Chanda V/s State of Haryana
(B) Olga Tellis V/s Bombay Municipal Corporation
(C) PV. Narasimha Rao V/s Union of India
(D) Ratlam Municipal Council V/s. Vardichand

Ans :

(B) Olga Tellis V/s Bombay Municipal Corporation
Explanation: In Olga Tellis v. Bombay Municipal Corporation, the Supreme Court held that the 'Right to Livelihood' is an integral part of the 'Right to Life' under Article 21. The Court ruled that the eviction of pavement and slum dwellers would deprive them of their livelihood and must be done through a procedure that is fair, just, and reasonable.

67. The Minimum number of persons required to incorporate a Public Company is
(A) 5
(B) 10
(C) 7
(D) 27

Ans :

(C) 7
Explanation: According to Section 3 of the Companies Act, 2013, a public company can be formed for any lawful purpose by seven or more persons. These persons become subscribers to the memorandum of association and comply with the other requirements of the Act

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(D) Oral statement by the pleader

Ans :

(A) Plaint and written statement
Explanation: Order VI, Rule 1 of the Code of Civil Procedure, 1908, provides a clear and concise definition of "pleading." It states that 'pleading' shall mean plaint or written statement. These are the formal written documents filed by the plaintiff and defendant respectively to state their case before the court.

57. On failure to file a written statement, under order VIII rule 10 of CPC the court may
(A) pass any other order
(B) Order for striking off the decree
(C) May pronounce the judgement at once
(D) Any of the above

Ans :

(D) Any of the above
Explanation: Order VIII, Rule 10 of the CPC gives the court discretion when a defendant fails to file a written statement as required. The court may either pronounce judgment against the defendant at once or make such other order in relation to the suit as it thinks fit, such as granting more time or proceeding ex-parte.

58. Which Section of Specific Relief Act prohibits filing a case against the government
(A) Section 5
(B) Section 6
(C) Section 7
(D) Section 8

Ans :

(B) Section 6
Explanation: Section 6 of the Specific Relief Act, 1963, provides a summary remedy for a person dispossessed of immovable property without due process. However, sub-section (2)(a) of Section 6 explicitly states that no suit under this section can be brought against the Government. The regular remedy based on title is still available.

59. The Patent Act became a law in
(A) 1970
(B) 1975
(C) 1996
(D) 1966

Ans :

(A) 1970
Explanation: The Patents Act, which governs the law of patents in India, was passed by the Indian Parliament in 1970. It replaced the earlier Indian Patents and Designs Act of 1911 and brought India's patent law in line with international standards at the time, introducing provisions like process patents for certain inventions.

60. Which one is not a fundamental right?
(A) Right to Freedom of Assembly
(B) Right to Property
(C) Right to equality
(D) Right to freedom of speech and Expression

Ans :

(B) Right to Property
Explanation: The Right to Property was originally included as a fundamental right under Article 19(1)(f) and Article 31 of the Constitution. However, it was removed from the list of fundamental rights by the 44th Constitutional Amendment Act, 1978. It is now a constitutional/legal right under Article 300-A.

61. In Maneka Gandhi case it was observed that
(A) Confiscation of Passport was correct
(B) Right to go abroad is not within the meaning of Article 21
(C) Right to go abroad is within the ambit of Article 19 (1) (A) but the confiscation of passport is not in accordance to the law
(D) None of the above

Ans :

(C) Right to go abroad is within the ambit of Article 19 (1) (A) but the confiscation of passport is not in accordance to the law
Explanation: In Maneka Gandhi v. Union of India, the Supreme Court held that the 'right to go abroad' is a part of the 'right to personal liberty' under Article 21. It ruled that any procedure restricting this right must be fair, just, and reasonable, and the impounding of her passport without a prior hearing was a violation of this principle.

62. Reasonable restrictions can be imposed on the right of free movement
(A) In the interest of general public
(B) In the interest of political leaders
(C) In the interest of women safety

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after he has parted with possession, and a right of re-sale. Ascertaining the price is a part of forming the contract, not a remedy against the goods.

74. Sections 36 to 42 of Specific Relief Act provides
(A) Injunctions
(B) Court's discretion on specific performance
(C) Cancellation of instruments
(D) None of the above

Ans :

(A) Injunctions
Explanation: Part III of the Specific Relief Act, 1963, deals with Preventive Relief. This part, which includes Sections 36 to 42, elaborates on the concept of injunctions. It defines temporary and perpetual injunctions (Section 37) and outlines the circumstances under which a perpetual injunction may be granted (Section 38) or refused (Section 41).

75. A Public Interest Litigation can be filed under
(A) Article 226 of constitution and Article 32 of the Constitution
(B) Under Section 133 of Criminal Procedure Code
(C) (1) and (2) Both
(D) None of the above

Ans :

(C) (1) and (2) Both
Explanation: Public Interest Litigation (PIL) is primarily filed in the High Courts under Article 226 and in the Supreme Court under Article 32 of the Constitution. Additionally, Section 133 of the CrPC, which deals with public nuisance, has been used by courts, particularly in environmental matters, as a form of social action litigation akin to a PIL.

76. Supreme Court in SP Gupta V/s. Union of India, AIR 1982 SC 149, decided on
(A) Free Legal Aid
(B) Bonded labours
(C) Judges Transfer
(D) Illegal detention

Ans :

(C) Judges Transfer
Explanation: The case of S.P. Gupta v. Union of India, popularly known as the First Judges Case, extensively dealt with the issue of the appointment and transfer of judges in the higher judiciary. The Supreme Court's decision in this case gave the executive primacy in judicial appointments, a position that was later overturned in subsequent cases.

77. Supreme Court in a PIL known as Kamal Nath case evolved
(A) Basic future and Basic structure doctrine
(B) Public Trust doctrine
(C) Separation of power doctrine
(D) Public Interest doctrine

Ans :

(B) Public Trust doctrine
Explanation: In M.C. Mehta v. Kamal Nath, the Supreme Court of India explicitly applied the Public Trust Doctrine. The court held that certain natural resources like rivers, forests, and air are held by the State as a trustee for the public, and it has a legal duty to protect these resources for the enjoyment of the general public.

78. Vishakha v/s. State of Rajasthan case is related to
(A) Sexual harassment at workplace
(B) Protection civil rights
(C) Uniform civil code
(D) None of the above

Ans :

(A) Sexual harassment at workplace
Explanation: The landmark case of Vishaka and Ors. v. State of Rajasthan addressed the issue of sexual harassment of women at the workplace. In the absence of specific legislation, the Supreme Court laid down a set of mandatory guidelines (known as the Vishaka Guidelines) for employers to prevent and redress acts of sexual harassment.

79. Courts power to award compensation is provided in Specific Relief Act
(A) Under Section 20
(B) Under Section 21.
(C) Both (1) and (2)
(D) None of the above

Ans :

(B) Under Section 21.

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regarding registration. For a private company, the minimum number is two.

68. A Private company can commence business as soon as it receives
(A) Certification of incorporation
(B) Letter of intent
(C) Occupation certificate
(D) None of the above

Ans :

(A) Certification of incorporation
Explanation: Under the Companies Act, 2013, a private company is entitled to commence its business operations immediately upon receiving the Certificate of Incorporation from the Registrar of Companies. Unlike a public company, it does not need to obtain a separate Certificate of Commencement of Business.

69. Which of the following is not an essential of a contract of guarantee
(A) Concurrence of three parties fairies.
(B) Surety's distinct promise to answerable
(C) Liabilities to be legally enforceable
(D) Existence of only one contract

Ans :

(D) Existence of only one contract
Explanation: A contract of guarantee involves three distinct contracts: one between the principal debtor and the creditor, one between the creditor and the surety, and an implied contract between the surety and the principal debtor. Therefore, the statement that there is an "existence of only one contract" is incorrect and not an essential element.

70. The term 'Agent' is defined in Indian Contract Act under Section
(A) 180 of the Act
(B) 181 of the Act
(C) 182 of the Act
(D) 183 of the Act

Ans :

(C) 182 of the Act
Explanation: Section 182 of the Indian Contract Act, 1872, defines the terms 'agent' and 'principal'. It states that an "agent" is a person employed to do any act for another, or to represent another in dealings with third persons. The person for whom such act is done, or who is so represented, is called the "principal".

71. What is the maximum number of partners in Banking business
(A) 8
(B) 10
(C) 12
(D) 16

Ans :

(B) 10
Explanation: Under the old Companies Act, 1956, Section 11 specified that a partnership for carrying on a banking business could not have more than ten partners. For other businesses, the limit was twenty. However, the new Companies Act, 2013, has revised these limits, but the question refers to the traditional number which was ten.

72. A person who gives the guarantee is called
(A) Bailee
(B) Creditor
(C) Debtor
(D) Surety

Ans :

(D) Surety
Explanation: In a contract of guarantee, there are three parties. The person who gives the guarantee for the repayment of a debt or performance of a promise is called the "surety" (Section 126, Indian Contract Act). The person in respect of whose default the guarantee is given is the "principal debtor," and the person to whom the guarantee is given is the "creditor."

73. Which is not a right of an unpaid seller against the goods
(A) Lien
(B) Stoppage in transit
(C) Right of resale
(D) To ascertain price

Ans :

(D) To ascertain price
Explanation: The Sale of Goods Act, 1930 (Sections 46-54) provides specific rights to an unpaid seller against the goods themselves. These rights include a lien on the goods for the price, the right of stopping the goods in transit

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Explanation: Under the Hindu Marriage Act, 1955, marriage between a man and his sister's daughter falls within the "degrees of prohibited relationship." Such a marriage is void under Section 5(iv). However, the Act provides a crucial exception: if the custom or usage governing each of them permits such a marriage, it will be considered valid.

51. Within the purview of water Act, the meaning of stream is defined as
(A) Includes a river but not a water course
(B) Includes a water course but not a river
(C) Includes river and water course, but not subterranean waters
(D) Includes a river, a water course and subterranean river

Ans :

(D) Includes a river, a water course and subterranean river
Explanation: Section 2(j) of the Water (Prevention and Control of Pollution) Act, 1974, provides an inclusive definition of "stream". It includes any river, water course (whether flowing or for the time being dry), inland water (whether natural or artificial), subterranean waters, and sea or tidal waters to such extent as the State Government may specify.

52. Cheque bouncing cases charged under Section 138 of Negotiable Instruments Act is trained by
(A) Bank Tribunal
(B) Consumer Forum
(C) Magistrate Court
(D) Sessions Court

Ans :

(C) Magistrate Court
Explanation: An offense under Section 138 of the Negotiable Instruments Act, 1881, is a criminal offense. According to Section 142 of the Act, it is triable by a Judicial Magistrate of the First Class or a Metropolitan Magistrate. The trial follows the procedure for summary trials as laid down in the CrPC.

53. Which of the following is not a civil nature -
(A) Right to take out procession
(B) Right to worship in a temple
(C) Right to Caste and Religion
(D) All of the above

Ans :

(C) Right to Caste and Religion
Explanation: Suits of a civil nature, under Section 9 of the CPC, relate to the enforcement of private rights. While the right to worship and take out a procession are considered civil rights, questions purely of caste or religious rites and ceremonies, which do not involve a question of right to property or office, are not considered suits of a civil nature.

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54. In a suit where the doctrine of res judicata applies -
(A) The suit is liable to be dismissed
(B) The suit is liable to be stayed
(C) Both (1) and (2)
(D) None of the above

Ans :

(A) The suit is liable to be dismissed
Explanation: The doctrine of res judicata, enshrined in Section 11 of the CPC, bars the trial of a suit or issue which has been finally decided in a former suit between the same parties. If a court finds that a suit is barred by res judicata, the appropriate action is to dismiss the suit, not merely stay it.

55. Under Section 16 CPC a suit relating to immovable property can be filed in a court whose local jurisdiction is
(A) Where the property is situated
(B) Where the defendant voluntarily resides or carries on business
(C) Both (1) and (2)
(D) None of the above

Ans :

(C) Both (1) and (2)
Explanation: Section 16 of the CPC mandates that suits relating to immovable property be filed where the property is situated. However, the proviso to this section creates an exception for suits to obtain relief respecting compensation for wrong to immovable property, allowing such suits to be filed either where the property is, or where the defendant resides.

56. Pleading means -
(A) Plaint and written statement
(B) Plaint only
(C) Written statement

Explanation: Section 21 of the Specific Relief Act, 1963, deals with the power of the court to award compensation in certain cases. It allows a plaintiff in a suit for specific performance of a contract to also claim compensation for its breach, either in addition to, or in substitution of, such performance.

80. Proving of hand writing is provided in Indian Evidence Act
(A) By the opinion of Experts
(B) By the evidence of a person who is acquainted with the handwriting
(C) After police verification
(D) Both (1) and (2)

Ans :

(D) Both (1) and (2)
Explanation: The Indian Evidence Act provides multiple ways to prove handwriting. Section 45 allows for the opinion of a handwriting expert. Section 47 allows for the opinion of a person acquainted with the handwriting in question. Furthermore, Section 73 allows the court itself to compare the disputed handwriting with an admitted or proven sample.

81. Section 26 of Indian Evidence Act provides
(A) No confession made by a person in police custody is admissible
(B) Confession made by a person in police custody is admissible
(C) Confession made in the immediate presence of a magistrate is admissible
(D) Both (1) and (3)

Ans :

(D) Both (1) and (3)
Explanation: Section 26 of the Indian Evidence Act states that no confession made by any person whilst he is in the custody of a police officer shall be proved against him. However, the proviso to this section creates a crucial exception: this rule does not apply if the confession is made in the immediate presence of a Magistrate.

82. The term 'Evidence' means and includes
(A) Oral evidence
(B) Documentary evidence
(C) Electronic records produced for the inspection of the Court
(D) All of the above

Ans :

(D) All of the above
Explanation: Section 3 of the Indian Evidence Act provides a comprehensive definition of "Evidence". It means and includes all statements which the court permits or requires to be made by witnesses (oral evidence), and all documents including electronic records produced for the inspection of the court (documentary evidence).

83. Section 2 (1) (ZB) of the Trade Mark Act 1999 defines the meaning of
(A) Licence
(B) Trade Mark
(C) Registration
(D) Cancellation

Ans :

(B) Trade Mark
Explanation: Section 2(1)(zb) of the Trade Marks Act, 1999, provides the definition of a "trade mark". It defines it as a mark capable of being represented graphically and which is capable of distinguishing the goods or services of one person from those of others and may include the shape of goods, their packaging, and combination of colours.

84. Outraging the modesty of a woman is punishable under IPC
(A) Section 376 (a)
(B) Section 376 (b)
(C) Section 354
(D) Section 498

Ans :

(C) Section 354
Explanation: Section 354 of the Indian Penal Code specifically deals with the offense of "Assault or criminal force to woman with intent to outrage her modesty." It provides punishment for any person who assaults or uses criminal force on any woman, intending to outrage or knowing it to be likely that he will thereby outrage her modesty.

85. Section 463 of Indian Penal Code) deals with the crime of
(A) House breaking
(B) Dishonest misappropriation of property
(C) Forgery
(D) Forgery with cheating

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Ans :

(A) There can be a will without a codicil
Explanation: A will is a primary legal document expressing a person's wishes for the distribution of their property after death. A codicil is a supplementary document that modifies, explains, or adds to an existing will. Therefore, a will can exist independently, but a codicil, by its nature, is dependent on a pre-existing will.

98. As per Section 63 of Indian Succession Act, Will should be attested by
(A) By two witnesses
(B) By two or more witness
(C) Only one witness who is not a relative of testator
(D) None of the above

Ans :

(B) By two or more witness
Explanation: Section 63(c) of the Indian Succession Act, 1925, lays down the requirement for the attestation of an unprivileged will. It mandates that the will shall be attested by two or more witnesses, each of whom has seen the testator sign or affix his mark to the will or has received a personal acknowledgment of the signature from the testator.

99. 'Iddat' under Mohammadan Law refers to
(A) A gift made on the occasion of marriage
(B) The right of the husband to divorce his wife
(C) Attain of puberty
(D) None of the above

Ans :

(D) None of the above
Explanation: 'Iddat' is a period of waiting that a Muslim woman must observe after the dissolution of her marriage by divorce or the death of her husband. During this period, she is not allowed to remarry. Its purpose is to ascertain pregnancy and to provide a period of mourning. None of the given options correctly define this term.

100. Under the Christian Marriage Act the marriage Registrar for any District is appointed by
(A) State Government
(B) The Central Government
(C) The Clergyman of the Church
(D) High Court Judges

Ans :

(A) State Government
Explanation: According to Section 7 of the Indian Christian Marriage Act, 1872, the State Government has the authority to appoint one or more Christians, either by name or as holding any office, to be Marriage Registrars for any district subject to its administration. This appointment is made to facilitate the registration of marriages solemnized under the Act.

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(D) None of the above

Ans :

(B) 1961
Explanation: The current Income Tax Act, which governs the levy and collection of income tax in India, was enacted by the Parliament of India in 1961. It replaced the earlier Income Tax Act of 1922 and came into force on 1st April 1962. It is the comprehensive statute that forms the basis of India's direct taxation system.

92. Income is defined under Section 24 of the Income Tax Act as-
(A) Profits and gains
(B) Dividends
(C) Voluntary contribution received by a Trust for charitable Purpose
(D) All of the above

Ans :

(D) All of the above
Explanation: The question incorrectly refers to Section 24; the definition of "income" is in Section 2(24) of the Income Tax Act. This is an inclusive definition that lists various items considered as income. The list includes profits and gains, dividends, and voluntary contributions received by a charitable trust, among many others.

93. Provisions of Section 80 of CPC are binding on
(A) The High Court
(B) The Court of Civil Judge
(C) The District Judge
(D) All of the above

Ans :

(D) All of the above
Explanation: Section 80 of the Code of Civil Procedure, 1908, makes it mandatory to serve a notice on the government or a public officer before instituting a suit against them for any act done in their official capacity. This procedural requirement is binding on the plaintiff, and its compliance is checked by all courts, including Civil Courts, District Courts, and High Courts.

94. Temporary Injunction can be granted
(A) Suo moto
(B) Ex parte
(C) Hearing both parties
(D) All of the above

Ans :

(B) Ex parte
Explanation: A temporary injunction is a court order to maintain the status quo during the pendency of a suit. While it is usually granted after hearing both parties, Order 39, Rule 3 of the CPC empowers the court to grant an ad-interim injunction on an ex-parte basis (without hearing the other side) in cases of exceptional urgency to prevent irreparable injury.

95. Right to Appeal is a
(A) Natural right
(B) Inherent right
(C) Statutory right
(D) Delegated right

Ans :

(C) Statutory right
Explanation: The right to appeal is not a natural or inherent right. It is a substantive right that must be conferred by a statute. If a specific law does not provide for an appeal against an order or decree, no such right exists. The procedure, forum, and limitations of an appeal are all governed by the statute that creates it.

96. The last amendment to the Indian Succession Act was made in
(A) 2000
(B) 2001
(C) 2002
(D) 2004

Ans :

(C) 2002
Explanation: The Indian Succession Act, 1925, has been amended several times. One of the notable amendments was made in 2002. The Indian Succession (Amendment) Act, 2002, amended Section 213 of the principal act, changing the rules regarding the necessity of obtaining probate for wills made by Hindus in certain jurisdictions.

97. Which is the correct statement-
(A) There can be a will without a codicil
(B) There can be a codicil without a will
(C) Every will has a codicil
(D) A codicil proceeds a will

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Ans :

(C) Forgery
Explanation: Section 463 of the Indian Penal Code defines the offense of "Forgery." It states that whoever makes any false document or false electronic record or part of a document or electronic record, with intent to cause damage or injury, to the public or to any person, or to support any claim or title, commits forgery.

86. Criminal intimidation is explained in IPC under
(A) Section 503 to 506
(B) Section 509 to 516
(C) Section 319 to 329
(D) None of the above

Ans :

(A) Section 503 to 506
Explanation: The offense of Criminal Intimidation is covered in Chapter XXII of the IPC. Section 503 defines what constitutes criminal intimidation (threatening another with injury to their person, reputation, or property). Section 506 prescribes the punishment for this offense. The related sections fall within this range.

87. The term Tort is a-
(A) Latin Word
(B) French Word
(C) English Word
(D) Italian Word

Ans :

(A) Latin Word
Explanation: The word "tort" is derived from the Latin word tortum, which means "twisted" or "crooked." It signifies a civil wrong or a wrongful act, independent of contract, for which the remedy is a common law action for unliquidated damages. While it entered English law via French, its ultimate root is Latin.

88. In Tort, what is vicarious liability?
(A) A person is generally liable for his own wrongful act
(B) A person is liable for the wrongful act done by other person
(C) (1) and (2)
(D) A person is liable for the wrongful act in his absence

Ans :

(B) A person is liable for the wrongful act done by other person
Explanation: Vicarious liability is a legal doctrine where one person is held responsible for the tortious acts committed by another. The most common example is an employer being held liable for the wrongful acts of an employee committed during the course of their employment. It is an exception to the general rule that a person is liable for their own acts.

89. Under Section 2 (1) (f) of Consumer Protection Act 1986, defect is meant by any fault, imperfection or Short coming in in relation to the goods
(A) Quality and Quantity
(B) Potency
(C) Purity or Standard
(D) All of the above

Ans :

(D) All of the above
Explanation: Section 2(1)(f) of the Consumer Protection Act, 1986, defines "defect" in goods. It means any fault, imperfection, or shortcoming in the quality, quantity, potency, purity, or standard which is required to be maintained by or under any law for the time being in force or under any contract, express or implied.

90. Which of the following falls under the categories of Act of God
(A) Storm and cyclone
(B) Extra ordinary rainfall or flood
(C) Lightning and thunder
(D) All of the above

Ans :

(D) All of the above
Explanation: "Act of God" (or vis major) is a legal defense in tort law used in cases where an event is caused by natural forces without any human intervention and could not have been foreseen or prevented by reasonable care. Extraordinary and unpredictable natural events like severe storms, floods, and lightning all fall under this category.

91. Income Tax Act was enacted in
(A) 1951
(B) 1961
(C) 1971

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ALL INDIA BAR EXAMINATION X

1. Which of the following sections deals with the provisions relating to maximum period for which an under trial prisoner can be detained
(A) 436
(B) 436-a
(C) 437-a
(D) 437

Ans :

(B) 436-a
Explanation: Section 436-A of the Code of Criminal Procedure, 1973, specifies the maximum period for which an undertrial prisoner can be detained. It provides that if a person has undergone detention for a period extending up to one-half of the maximum period of imprisonment for that offence, they shall be released by the court on a personal bond.

2. Which of the following case is leading case in term of deliberate delay in filing of the suit resulting in huge losses to the complainant
(A) Prof. Krishanraj Goswami VS. Vishwanath D. Mukashikar
(B) Pratap Narayan vs. Y. P. Raheja
(C) Babulal Jain vs. Subhash Jain
(D) Johan D'souza vs. Edward Ani.

Ans :

(A) Prof. Krishanraj Goswami VS. Vishwanath D. Mukashikar
Explanation: The case of Prof. Krishanraj Goswami v. Vishwanath D. Mukashikar is a significant judgment concerning the condonation of delay under the Limitation Act. The Supreme Court emphasized that while courts should adopt a liberal approach, deliberate and inordinate delays without sufficient cause, which result in prejudice to the opposing party, should not be condoned.

3. Which writ is issued by the Court to quash the wrongful order of a lower Court
(A) Mandamus
(B) Quo warranto
(C) Prohibition
(D) Certiorari.

Ans :

(D) Certiorari.
Explanation: The writ of Certiorari is issued by a superior court to a lower court or tribunal to quash its order or decision. This writ is invoked when the lower court has acted without jurisdiction, in excess of its jurisdiction, or has committed an error of law apparent on the face of the record.

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4. Filing with the Court, to object owns or another's imprisonment is called?
(A) Writ of Quo Warranto
(B) Habeas Corpus
(C) Writ of Prohibition
(D) None of the above.

Ans :

(B) Habeas Corpus
Explanation: The writ of Habeas Corpus, literally meaning 'to have the body', is a legal remedy to challenge unlawful detention or imprisonment. A person can petition the court to issue this writ, compelling the detaining authority to produce the detained person before the court to determine the legality of the detention.

5. In which of the following cases a Set Off can be claimed?
(A) 'A' owes the partnership firm of 'B' & 'C' Rs. 1000/- B. dies leaving C surviving. A sues C for a debt of Rs. 1500/- due in his separate character. C wants to set off the debt of Rs. 1000/-.
(B) A sues B for Rs. 20,000/-. B wants to set off the claim for damages for breach of contract for specific performance.
(C) Both 1 & 2
(D) None of the above.

Ans :

(B) Both ordinarily residents and non- resident
(C) Non-resident
(D) All the assesses.

Ans :

(D) All the assesses.
Explanation: Under Section 5 of the Income Tax Act, 1961, the scope of total income is defined based on residential status. However, income received or deemed to be received in India is taxable for all categories of assessees, including residents, not ordinarily residents, and non-residents. The place of accrual becomes irrelevant if the income is first received in India.

17. A contract can be specifically enforced
(A) Where compensation is adequate relief for the non-performance of the contract
(B) Where the contract by its nature is determinable
(C) Where it involves the performance of continuous duty which the Court cannot supervise
(D) None of the above.

Ans :

(D) None of the above.
Explanation: The Specific Relief Act, 1963, provides that specific performance is an equitable remedy granted at the court's discretion. The options listed are actually grounds for refusing specific performance under Section 14 of the Act. For instance, specific performance is generally granted when monetary compensation is not an adequate relief, contrary to option A.

18. A contract of 'indemnity' under the Indian Contract Act, 1872, has been defined in Section:
(A) 124
(B) 123
(C) 125
(D) 126

Ans :

(A) 124
Explanation: Section 124 of the Indian Contract Act, 1872, defines a "contract of indemnity." It states that it is a contract where one party promises to save the other from loss caused to them by the conduct of the promisor or any other person. Section 125 outlines the rights of the indemnity-holder.

19. "Which of the following belong to the category of direct tax
(A) Goods and Services Tax
(B) Excise duty and customs duty
(C) Income tax and gift tax
(D) All of the above.

Ans :

(C) Income tax and gift tax
Explanation: Direct taxes are levied directly on an individual's or entity's income or wealth, and the burden cannot be shifted. Income tax and gift tax are prime examples. In contrast, Goods and Services Tax (GST), excise, and customs duties are indirect taxes, as their economic burden is typically passed on to the final consumer.

20. In which section of the Hindu Succession Act, 1956 the Law of Mitakshara has been incorporated
(A) Section 8
(B) Section 7
(C) Section 9
(D) Section 6

Ans :

(D) Section 6
Explanation: Section 6 of the Hindu Succession Act, 1956, directly addresses the devolution of interest in Mitakshara coparcenary property. This section originally recognized devolution by survivorship but was significantly amended in 2005 to grant daughters the same rights as sons in coparcenary property by birth, thereby incorporating and modifying the traditional Mitakshara law.

21. Any person aggrieved by an order made by the Disciplinary Committee of the Bar Council of India under Section 36 or 37 of the Advocates Act, may prefer an appeal to the :
(A) High Court.
(B) Supreme Court
(C) State Government
(D) Central Government

Ans :

(B) Supreme Court
Explanation: Section 38 of the Advocates Act, 1961, provides the right to appeal against an order of the Disciplinary Committee of the Bar Council of India. An aggrieved person, including

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therapy, rather than solely on punishment. The goal is to correct the individual's character and prevent future crimes.

11. Which of the following sections enables the Court to cancel the bond and bail bond
(A) 446-a
(B) 446
(C) 448
(D) 450.

Ans :

(A) 446-a
Explanation: Section 446-A of the Code of Criminal Procedure, 1973, provides for the cancellation of a bond and bail bond. It stipulates that where a bond is for appearance before a court, and it is forfeited for a breach of a condition, the bond executed by such person shall stand cancelled, and the person shall be arrested.

12. In joint trial, the evidentiary value of confession of a co-accused affecting himself and others, has been discussed by the Supreme Court in-
(A) Kashmira Singh vs. State of MP
(B) Sate of UP vs. Deorman Upadhyay
(C) Ram Bharose vs. State of UP
(D) Rameshwar vs. State of Rajasthan.

Ans :

(A) Kashmira Singh vs. State of MP
Explanation: In the landmark case of Kashmira Singh vs. State of M.P., the Supreme Court held that the confession of a co-accused is not substantive evidence against the other accused under Section 3 of the Evidence Act. It can only be used to corroborate other independent evidence that already exists on record against the accused person.

13. Under Section 25 of the Land Acquisition Act, the amount compensation awarded by the Court-
(A) Shall not be less than the amount awarded by the Collector under Section
(B) Shall not be equal to the amount awarded by the Collector under Section
(C) Shall not be more than the amount awarded by the Collector under Section II
(D) All of the above.

Ans :

(A) Shall not be less than the amount awarded by the Collector under Section
Explanation: Section 25 of the Land Acquisition Act, 1894, sets a floor for the compensation awarded by the court upon a reference. It explicitly states that the amount of compensation awarded by the court shall not be less than the amount awarded by the Collector under Section 11. The court can enhance but not reduce the Collector's award.

14. Where a Magistrate of the first class passes only a sentence of fine not exceeding Rs. 100, against this order where an appeal shall lie':
(A) In the Court of Chief Judicial Magistrate
(B) In the Court of Chief Metropolitan Magistrate
(C) Both 1 and 2
(D) None of the above.

Ans :

(D) None of the above.
Explanation: According to Section 376(c) of the Code of Criminal Procedure, 1973, no appeal shall lie in a case where a Magistrate of the first class passes only a sentence of a fine not exceeding one hundred rupees. Such cases are considered petty, and the law bars an appeal to prevent frivolous litigation.

15. What is the maximum number of witness which can be produced in a case
(A) 5
(B) 10
(C) 15
(D) No limit.

Ans :

(D) No limit.
Explanation: The Indian Evidence Act, 1872, does not prescribe any specific limit on the number of witnesses a party can produce in a case. The law emphasizes the quality, credibility, and relevance of evidence over the quantity of witnesses. Therefore, a party can call as many witnesses as necessary to prove its case effectively.

16. Income which accrue or arise outside India but are directly received into India are taxable in case of
(A) Residents only

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Ans :

(C) Section 30
Explanation: Section 30 of the Negotiable Instruments Act, 1881, outlines the liability of the drawer of a bill of exchange. It states that in case of dishonour by the drawee or acceptor, the drawer is bound to compensate the holder, provided that the requisite proceedings on dishonour have been duly taken.

49. Who are the partners in a bill of exchange?
(A) Drawer & Drawee
(B) Payee
(C) Both 1 and 2
(D) None of the above.

Ans :

(C) Both 1 and 2
Explanation: A bill of exchange involves three primary parties. The 'Drawer' is the person who makes the bill. The 'Drawee' is the person who is directed to pay the amount. The 'Payee' is the person to whom the payment is to be made. Therefore, all three—drawer, drawee, and payee—are integral parties to the instrument.

50. The theoretical powers to amend the Constitution, has been given to the Members of Parliament and State Legislatures by
(A) Article 358
(B) Article 368
(C) Article 378
(D) No such powers.

Ans :

(B) Article 368
Explanation: Article 368 of the Constitution of India grants the Parliament the power to amend the Constitution and lays down the procedure for it. While State Legislatures have a role in ratifying certain amendments related to the federal structure, the primary power to initiate and pass amendments rests with the Parliament.

51. Under Section 18 of the Indian Evidence Act, the admission of which of the following person is not admissible against the other
(A) One of the plaintiffs
(B) One of the defendants
(C) Agents of the parties
(D) Statement of the third party.

Ans :

(D) Statement of the third party.
Explanation: Section 18 of the Indian Evidence Act defines admissions by parties, their agents, or persons with a proprietary or pecuniary interest. An admission by one of several plaintiffs or defendants is admissible against the others. However, a statement by an unrelated third party is generally not considered an admission against a party to the suit.

52. According to Republic Act No. 6770, which of these powers is not provided to office of Ombudsman
(A) Prosecutory power
(B) Function to adopt, institute and implement preventive measures
(C) Public assistant functions
(D) None of the above.

Ans :

(D) None of the above.
Explanation: This question refers to Republic Act No. 6770 of the Philippines, also known as The Ombudsman Act of 1989. The Ombudsman is vested with prosecutory powers, the function to implement preventive measures against corruption, and public assistance functions. Therefore, all the listed powers are indeed provided to the office, making "None of the above" the correct answer.

53. A reference can be made during the pendency:
(A) The subordinate Court refers the case to the High Court for the latter's opinion on a question of law.
(B) The subordinate Court refers the case to the High Court for the latter's opinion on a question of evidence
(C) The subordinate Court refers the case to the High Court for the latter's opinion on a question of fact
(D) The subordinate Court refers the case to the High Court for the latter's opinion on a question of Court procedure.

Ans :

(A) The subordinate Court refers the case to the High Court for the latter's opinion on a question of law.
Explanation: Under Section 113 of the Code of Civil Procedure, a subordinate court can make a reference to the High Court. This

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the Advocate-General of a State, can prefer an appeal to the Supreme Court within sixty days of the communication of the order.

22. Part III of Arbitration and Conciliation Act, 1996 formalizes :
(A) Process of Conciliation
(B) Process of Arbitration
(C) Enforcement of Foreign Awards under New York and Geneva Conventions
(D) All the above.

Ans :

(A) Process of Conciliation
Explanation: Part III of the Arbitration and Conciliation Act, 1996, specifically deals with conciliation. This part outlines the procedure for initiating conciliation, the appointment and role of conciliators, and the legal status of settlement agreements reached through this process. Part I covers domestic arbitration, and Part II deals with the enforcement of certain foreign awards.

23. Recently, in which case the Kerala High Court held that a University Grant Commission criterion which allowed certain relaxation in marks to reserved categories as violation of Article 16 (1) of the Constitution
(A) Nair Service Society vs. UGC, WP(C) No. 5190 of 2016 (W)
(B) CBSE vs. UGC, WP(C) No. 5190 of 2016 (W)
(C) UGC vs. State of Kerala, WP(C) No. 5190 of 2016 (W)
(D) UGC vs. Secretary of State, WP (C) No. 5190 of 2016 (W).

Ans :

(A) Nair Service Society vs. UGC, WP(C) No. 5190 of 2016 (W)
Explanation: In Nair Service Society vs. UGC, the Kerala High Court addressed the issue of relaxing eligibility criteria for reserved categories in the National Eligibility Test (NET). The court held that while reservation is permissible, diluting the minimum standards of eligibility by providing mark relaxations violates the principle of equality of opportunity in public employment under Article 16(1).

24. Maintenance application under Section 18 (2) of Hama is filed in
(A) Matrimonial Court
(B) District Court
(C) High Court
(D) Any of the above.

Ans :

(B) District Court
Explanation: Section 18 of the Hindu Adoptions and Maintenance Act, 1956 (HAMA) provides for the maintenance of a wife. The jurisdiction for filing an application for such maintenance lies with the 'District Court' as defined under the Code of Civil Procedure, which has the authority to adjudicate on these family law matters.

25. In relation to Relevancy of Character in civil cases, which of the following is not correct
(A) It is not at all relevant
(B) It is relevant when it affects award of damage
(C) When character is itself an issue
(D) When it appears from the fact otherwise relevant.

Ans :

(A) It is not at all relevant
Explanation: The statement that character is not at all relevant is incorrect. While Section 52 of the Indian Evidence Act states that a person's character is generally irrelevant in civil cases to prove conduct, there are exceptions. Section 55 makes character relevant when it affects the amount of damages a person ought to receive.

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26. The parties which cannot be compelled to perform specific performances of contract are provided in which section of Specific Relief Act:
(A) 27
(B) 28
(C) 29
(D) 30

Ans :

(B) 28
Explanation: Section 28 of the Specific Relief Act, 1963 (prior to the 2018 amendment), dealt with the rescission of a contract for the sale or lease of immovable property for which a decree of specific performance had been granted. It specified circumstances under which a party, like a purchaser who fails to pay, loses the right to enforce the decree.

27. The Environment (Protection) Act, 1986, came into force on
(A) 18th November, 1986
(B) 19th November, 1986.
(C) 20th November, 1986
(D) 21st November, 1986

Ans :

(B) 19th November, 1986.
Explanation: The Environment (Protection) Act, 1986, was enacted by the Parliament in May 1986. However, it was brought into force later through a notification issued by the Central Government. The Act officially came into effect on the 19th of November, 1986, providing a comprehensive legal framework for environmental protection in India.

28. A Hindu's widow, if there are more than one, shall take
(A) One share each
(B) One share for all the widows
(C) One share each to the maximum of two shares, if there are more than two widows
(D) None of the above.

Ans :

(B) One share for all the widows
Explanation: As per Section 10, Rule 1 of the Hindu Succession Act, 1956, when an intestate Hindu male dies, his widow takes one share. If there is more than one widow, all the widows together are entitled to only one share, which they will then divide among themselves equally. They do not get individual shares.

29. Indian Computer Emergency Response Team to serve as National Agency for incident response is constituted under section
(A) 71 of IT Act
(B) 70 of IT Act
(C) 70 (a) of IT Act
(D) 70 (b) of IT Act

Ans :

(D) 70 (b) of IT Act
Explanation: Section 70B of the Information Technology Act, 2000, empowers the Central Government to appoint an agency to be known as the Indian Computer Emergency Response Team (CERT-In). This national agency is responsible for collecting and analyzing information on cyber incidents, forecasting and alerting about cybersecurity issues, and coordinating incident response activities.

30. The provision relating to Abolition of Untouchability is given in
(A) Article 23
(B) Article 24
(C) Article 17
(D) Article 15

Ans :

(C) Article 17
Explanation: Article 17 of the Constitution of India is a fundamental right that deals with the "Abolition of Untouchability." It explicitly forbids the practice of untouchability in any form and makes the enforcement of any disability arising from it a punishable offense. This is further enforced by the Protection of Civil Rights Act, 1955.

31. Under which Supreme Court judgment, action of the President to summon, prorogue and dissolve either of the houses of the Parliament, shall be unconstitutional if acted without advice of Council of Ministers-
(A) Indira Gandhi vs. Raj Narain, A.I.R. 1975 S.C. 2299
(B) Anandan vs. Chief Secretary, A.I.R. 1966 S.C 657s
(C) Rao vs. Indira Gandhi, A.I.R. 1971 S.C. 1002
(D) None of the above.

Ans :

(C) Rao vs. Indira Gandhi, A.I.R. 1971 S.C. 1002
Explanation: In U.N.R. Rao vs. Indira Gandhi, the Supreme Court established that the President must always act on the aid and advice of the Council of Ministers, as mandated by Article 74(1). The court clarified that this principle holds even when the Lok Sabha is dissolved, ensuring that there is no period of executive vacuum.

32. Under Section 114, a person can apply for review of judgment when:
(A) He is aggrieved by a decree/order from which an appeal is allowed, but no appeal is allowed.
(B) He is aggrieved by a decree/order from

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which no appeal is allowed.
(C) He is aggrieved by a decision on a reference from a Court of small causes.
(D) All of the above.

Ans :

(D) All of the above.
Explanation: Section 114 of the Code of Civil Procedure, 1908, sets out the conditions for applying for a review of a judgment. It allows an aggrieved person to seek review of a decree/order where an appeal is permitted but not filed, where no appeal is permitted, or against a decision on a reference from a small causes court.

33. Which of the following is not a requirement for registration of a trademark under law?
(A) Distinctiveness
(B) Capability of graphical representation
(C) Novelty
(D) Not being deceptive

Ans :

(C) Novelty
Explanation: Under the Trade Marks Act, 1999, a trademark must be distinctive, capable of graphical representation, and not deceptive. "Novelty" is not a requirement for trademarks; it is a concept associated with patent law.

34. The term sabbatical is connected with -
(A) Paid leave for study
(B) Paternity leave
(C) Maternity leave
(D) Quarantine leave.

Ans :

(A) Paid leave for study
Explanation: A sabbatical is an extended period of paid leave granted to an employee, traditionally in academia, for professional development activities such as study, research, or travel. Its purpose is to enhance skills and knowledge, which is distinct from leaves for childbirth (paternity/maternity) or health reasons (quarantine).

35. 'A', a surgeon, knowing that a particular operation is likely to cause the death of 'Z', who suffers under a painful complaint, but not intending to cause Z's death & intending in good faith Z's benefit performs that operation on Z with Z's consent. A has committed no offence, it is contained in-
(A) Section 88 of the IPC
(B) Section 89 of the IPC
(C) Section 90 of the IPC
(D) Section 87 of the IPC.

Ans :

(A) Section 88 of the IPC
Explanation: Section 88 of the Indian Penal Code provides a legal defence for an act not intended to cause death, done by consent in good faith for a person's benefit. The surgeon's actions fit perfectly within this exception: the act was done for Z's benefit, with Z's consent, and without any intention to cause death.

36. Under Order 33, an indigent is allowed to prosecute any suit, provided he satisfied certain conditions. Which of the following is not such a condition?
(A) He is not possessed of sufficient means to enable him to pay the fees prescribed for the plaint in such suit
(B) He is not entitled to property worth Rs. 1000/-
(C) He has no sufficient means for his livelihood
(D) He may present the application for permission to sue as an indigent either himself or through an authorized agent.

Ans :

(C) He has no sufficient means for his livelihood
Explanation: Order XXXIII of the CPC allows a person to sue as an indigent if they cannot afford the court fees. The primary condition is the lack of sufficient means to pay the prescribed fee. While property worth Rs. 1000 is a benchmark, the lack of means for livelihood is not a specified condition for being declared an indigent person for litigation purposes.

37. The distinction between Sections 299 and 300 was made clear by Melvill, J. in
(A) Reg vs. Guruchand Gope
(B) Reg vs. Govinda
(C) Reg vs. Hayward
(D) Govind vs. Reg.

Ans :

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(B) Reg vs. Govinda
Explanation: In the classic case of Reg vs. Govinda, Justice Melvill lucidly explained the fine distinction between culpable homicide (Section 299, IPC) and murder (Section 300, IPC). He clarified the differences in the degree of intention or knowledge required for an act to escalate from culpable homicide not amounting to murder to the graver offense of murder.

38. Pakala Narayan Swami vs. Emperor is a leading case on
(A) Dying Declaration
(B) Confession
(C) Accomplice
(D) Expert witness.

Ans :

(A) Dying Declaration
Explanation: The Privy Council's decision in Pakala Narayan Swami vs. Emperor is a landmark judgment on the law of dying declarations under Section 32(1) of the Indian Evidence Act. The court clarified the scope and admissibility of statements made by a person as to the cause of their death or the circumstances of the transaction resulting in their death.

39. The provisions relating to compoundable offence is provided under Section
(A) 319
(B) 320
(C) 265 (d)
(D) 321

Ans :

(B) 320
Explanation: Section 320 of the Code of Criminal Procedure, 1973, deals with the compounding of offences. It provides a comprehensive list of offences from the Indian Penal Code that can be compounded (settled) by the parties, either without the court's permission or with the court's permission, thereby leading to the acquittal of the accused.

40. The chief elements necessary to constitute a crime are
(A) A human being
(B) An evil intent
(C) Injury to another human being or society
(D) All of the above.

Ans :

(D) All of the above.
Explanation: The essential elements of a crime are: (1) an act or omission (actus reus) committed by a human being, (2) a guilty mind or evil intent (mens rea), and (3) an injury or harm caused to another person or society at large, which is prohibited by law. Therefore, all the listed options are necessary components.

41. A decree can be transferred for execution to another Court:
(A) If the judgment debtor actually and voluntarily resides or carries on business or personally works for gain, within the local limits of jurisdiction of such Court.
(B) If the judgment debtor has property sufficient to satisfy the decree within the limits of that Court.
(C) If the decree directs the sale or delivery of immovable property situated outside the local limits of jurisdiction of the Court which passed it.
(D) All of the above.

Ans :

(D) All of the above.
Explanation: Section 39 of the Code of Civil Procedure, 1908, outlines the circumstances under which a decree can be transferred for execution. All the listed options are valid grounds for transfer, including the location of the judgment debtor, the location of their property, or the location of immovable property subject to the decree.

42. What should be the difference of age under the Hindu Adoption and Maintenance Act, 1956, if a female adopts male
(A) 21 years
(B) 25years
(C) 18 years
(D) 16 years.

Ans :

(A) 21 years
Explanation: Section 11(iv) of the Hindu Adoptions and Maintenance Act, 1956, stipulates a specific age difference condition for cross-gender adoptions. If a female is adopting a male son, the adoptive mother must be at least twenty-one years older than the person to be

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adopted. This rule aims to prevent misuse of the adoption law.

43. Section 112 of Indian Evidence Act, provides that a child would be treated as legitimate if after dissolution of marriage, he/she has been born within
(A) 180 days
(B) 270 days
(C) 280 days
(D) 300 days

Ans :

(C) 280 days
Explanation: Section 112 of the Indian Evidence Act creates a conclusive presumption of legitimacy. It states that a child born during the continuance of a valid marriage, or within 280 days after its dissolution (the mother remaining unmarried), is conclusively presumed to be the legitimate child of that man, unless non-access can be proved.

44. In which of the following cases the Supreme Court of India opined that "bail is the surety and jail is an exception"
(A) Joginder Kumar vs. State of U. P.
(B) Moti Ram vs. State of M.P.
(C) Maneka Gandhi vs. Union of India
(D) State of W. B. vs. D.K. Basu.

Ans :

(B) Moti Ram vs. State of M.P.
Explanation: The Supreme Court, in the case of State of Rajasthan vs. Balchand alias Baliay, famously observed that the basic rule is "bail, not jail." This principle, emphasizing personal liberty, holds that an accused should be granted bail unless there are compelling reasons to keep them in custody, thus making jail the exception.

45. Which section of Indian Evidence Act is based on English Doctrine of Res Gestae
(A) 5
(B) 6
(C) 7
(D) 8.

Ans :

(B) 6
Explanation: Section 6 of the Indian Evidence Act, 1872, encapsulates the doctrine of Res Gestae. It makes relevant those facts which, though not in issue, are so connected with a fact in issue as to form part of the same transaction. These are spontaneous declarations made contemporaneously with or immediately after an event.

46. Which of the following statement is correct
(A) A confession made by an accused to the police officer is relevant
(B) A confession made by an accused in police custody to a Magistrate is not relevant
(C) A confession made by an accused in the police custody and discovery made from the information received from confession, both confession and discovery are relevant
(D) None of the above is correct.

Ans :

(D) None of the above is correct.
Explanation: According to the Indian Evidence Act, a confession to a police officer is inadmissible (Section 25). A confession to a magistrate is relevant, even if made in police custody (Section 26). Under Section 27, only the part of the information that leads to a discovery is admissible, not the entire confession. Therefore, all given statements are incorrect.

47. A perpetual injunction can only be granted by the decree at the hearing and upon the-
(A) Demand of the party
(B) Discretion of the Court
(C) Merit of the suit
(D) None of the above.

Ans :

(C) Merit of the suit
Explanation: As per Section 38 of the Specific Relief Act, 1963, a perpetual injunction is a final order of the court that restrains a party from doing a specific act permanently. It can only be granted by a decree made after a full hearing and upon a thorough consideration of the merits of the case.

48. Liability of drawer to compensate the drawee in case of dishonor is primarily provided under-
(A) Section 29 (a)
(B) Section 29
(C) Section 30
(D) Section 31.

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(A) 'A' owes the partnership firm of 'B' & 'C' Rs. 1000/- B. dies leaving C surviving. A sues C for a debt of Rs. 1500/- due in his separate character. C wants to set off the debt of Rs. 1000/-.
Explanation: A set-off can be claimed when the defendant has a claim for an ascertained sum of money against the plaintiff. In the first scenario, the debt of Rs. 1000 is an ascertained sum. In the second scenario, the claim for damages is unliquidated and cannot be set-off. This is illustrated in Order VIII, Rule 6 of the CPC.

6. Which is the leading case environment
(A) M. C. Mehta vs. Union of India
(B) Union of India vs. H.S. Dhillon
(C) Maneka Gandhi vs. Union of India
(D) None of the above.

Ans :

(A) M. C. Mehta vs. Union of India
Explanation: The cases filed by M.C. Mehta are cornerstones of environmental jurisprudence in India. These public interest litigations led to landmark Supreme Court judgments on issues like air and water pollution, establishing crucial principles such as absolute liability and the polluter pays principle, which have profoundly shaped Indian environmental law and policy.

7. The maxim 'audi alterm partem' denotes
(A) No one shall be judge of his own cause
(B) No one shall be condemned unheard
(C) Rights are better than duties
(D) None of the above.

Ans :

(B) No one shall be condemned unheard
Explanation: 'Audi alteram partem' is a fundamental principle of natural justice, translating to "hear the other side." It ensures that no person is judged without a fair hearing where they have the opportunity to respond to the allegations and evidence against them. This principle is a cornerstone of fair administrative and judicial proceedings.

8. Under which Section of CrPC the Assistant Public Prosecutor is appointed
(A) 13
(B) 20
(C) 24
(D) 25

Ans :

(D) 25
Explanation: Section 25 of the Code of Criminal Procedure, 1973, specifically deals with the appointment of Assistant Public Prosecutors. It empowers the State Government to appoint one or more Assistant Public Prosecutors in every district for conducting prosecutions in the Courts of Magistrates. Section 24 deals with the appointment of Public Prosecutors for the High Court and District Courts.

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9. A person cannot be a next friend, a guardian of a person if :
(A) He is a minor
(B) He is an opposite party in the suit
(C) He has not given consent in writing
(D) All of the above.

Ans :

(D) All of the above.
Explanation: Under Order XXXII of the Code of Civil Procedure, 1908, a person is disqualified from acting as a next friend or guardian for a minor. The conditions for disqualification include being a minor, having an interest adverse to the minor (like being an opposing party), or not having provided written consent to act in such capacity.

10. To make the criminal harmless by supplying him those things which he lacks and to cure him of those drawbacks which made him to commit crime is known as
(A) Expiatory or penance theory of punishment
(B) Deterrent theory or preventive theory of punishment
(C) Reformative or rehabilitative or corrective theory of punishment
(D) Retributive theory of punishment

Ans :

(C) Reformative or rehabilitative or corrective theory of punishment
Explanation: The reformative theory of punishment aims to rehabilitate offenders and reintegrate them into society as law-abiding citizens. This approach focuses on addressing the underlying causes of criminal behavior through education, vocational training, and

procedure is used when the subordinate court has a reasonable doubt about a question of law, particularly concerning the validity of any Act, Ordinance, or Regulation, which is necessary for the case's disposal.

54. Pre-emption on the ground of Shafie -i-Jar was declared unconstitutional in-
(A) Bhau Ram vs. Baij Nath
(B) Govind Dayal vs. Inayatullah
(C) Bhagawan Das vs. Chetram
(D) Ram Saran Lall vs. Mst. Domini Kuer.

Ans :

(A) Bhau Ram vs. Baij Nath
Explanation: In Bhau Ram vs. Baij Nath, the Supreme Court struck down the right of pre-emption based on vicinage (shafi-i-jar, or right of a neighbour) as an unreasonable restriction on the fundamental right to dispose of property under Article 19(1)(f) of the Constitution. The court found this ground to be feudal and incompatible with modern constitutional principles.

55. Under which section of CPC, option for settlement of dispute is provided outside the Court?
(A) 80(1)
(B) 89(2)
(C) 89(1)
(D) 80(2).

Ans :

(C) 89(1)
Explanation: Section 89(1) of the Code of Civil Procedure, 1908, encourages the settlement of disputes outside the court. It empowers the court, where it appears there are elements of a settlement acceptable to the parties, to formulate the terms of a possible settlement and refer the parties to alternative dispute resolution mechanisms like arbitration, conciliation, or mediation.

56. Government employees may refer their unresolved grievances and labor dispute to
(A) Internal Labor Department
(B) Bureau of Labor Relations
(C) Public Sector Labor Management Council
(D) Department of Labor.

Ans :

(C) Public Sector Labor Management Council
Explanation: For government employees, specific grievance redressal mechanisms are established. The Public Sector Labor-Management Council (or similar bodies like Administrative Tribunals in India) is often the designated forum for resolving labor disputes and grievances that remain unresolved through internal departmental channels, providing a specialized platform for adjudication.

57. "Dealer' includes a person who is engaged-
(A) In building bodies for attachment to chassis; or
(B) In the repair of motor vehicles; or
(C) In the business of hypothecation, leasing or hire purchase of motor vehicle;
(D) All of the above.

Ans :

(D) All of the above.
Explanation: The definition of a 'dealer' under the Motor Vehicles Act, 1988, is broad. Section 2(8) includes persons engaged in building bodies for chassis, repairing motor vehicles, as well as those involved in the business of hypothecation, leasing, or hire-purchase of motor vehicles. Therefore, all the activities listed are covered under this definition.

58. Under Section 115, in the exercise of its revisional jurisdiction, a High Court can do which of the following things:
(A) To call for the record of any case which has been decided by any Court, subordinate to the High Court.
(B) To vary/reverse any decree or order against which an appeal lies to the High Court.
(C) Both 1 & 2
(D) None of the above.

Ans :

(A) To call for the record of any case which has been decided by any Court, subordinate to the High Court.
Explanation: Section 115 of the CPC grants the High Court revisional jurisdiction. The High Court can call for the record of a case decided by a subordinate court to examine if there was a jurisdictional error. This power is specifically for cases where no appeal lies, distinguishing it

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from appellate jurisdiction. Option B describes appellate power.

59. PIL is criticised on the ground of
(A) Private motive
(B) Political ends
(C) Tremendous increase in the litigation
(D) All of the above.

Ans :

(D) All of the above.
Explanation: Public Interest Litigation (PIL) has faced criticism on several grounds. These include its potential misuse by individuals for private motives or political gain, the burden it places on the judicial system by increasing litigation (often referred to as judicial overreach), and the filing of frivolous petitions that consume valuable court time.

60. The undertaking contained in a promissory note, to pay a certain sum of money is:
(A) Conditional
(B) Unconditional
(C) May be conditional or unconditional depending upon the circumstances
(D) All of the above.

Ans :

(B) Unconditional
Explanation: As per Section 4 of the Negotiable Instruments Act, 1881, a key feature of a promissory note is an unconditional undertaking to pay a certain sum of money. If the promise to pay is subject to any condition, the instrument fails to qualify as a valid promissory note under the Act.

61. The Right of Equality before the law under Article 14, is subject to the restriction of
(A) Public order and morality
(B) Reasonable classification
(C) Reasonable restriction
(D) Reasonable situations.

Ans :

(B) Reasonable classification
Explanation: While Article 14 of the Constitution guarantees equality before the law, the Supreme Court has held that this is not an absolute right. The state is permitted to make laws that apply differently to different groups of people, provided the classification is reasonable. This doctrine of "reasonable classification" allows for differential treatment based on intelligible differentia.

62. 'A' does not fall under the clause of Memorandum of Association 'A' here is:
(A) Subscription
(B) Director
(C) Capital
(D) Situation.

Ans :

(B) Director
Explanation: The Memorandum of Association of a company typically contains several key clauses: the Name Clause, Registered Office (Situation) Clause, Object Clause, Liability Clause, Capital Clause, and Subscription Clause. Details about the company's directors are usually contained in the Articles of Association, not the Memorandum, making 'Director' the correct answer.

63. Which is not included within the meaning of artistic work under Copyright Act:
(A) Drawing
(B) Work of architecture
(C) Work of craftsmanship
(D) Work of carpenter.

Ans :

(D) Work of carpenter.
Explanation: Section 2(c) of the Copyright Act, 1957, defines "artistic work." This definition includes paintings, sculptures, drawings, engravings, photographs, works of architecture, and other works of artistic craftsmanship. A general "work of a carpenter," which is primarily functional and may lack artistic quality, is not explicitly included in this definition.

64. When a bill is passed by the Parliament and the President, what is the status of the same?
(A) Bill approved
(B) Law
(C) Bill exercised for administration
(D) Government procedures.

Ans :

(B) Law

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Explanation: A bill is a legislative proposal. It goes through various stages in Parliament. Once it is passed by both Houses of Parliament (Lok Sabha and Rajya Sabha) and receives the assent of the President, it ceases to be a bill and becomes an Act or a Law, which is legally binding and enforceable.

65. Which of the following heirs is not class 1 heir under the Hindu Succession Act, 1956
(A) Son
(B) Widow
(C) Father
(D) Mother.

Ans :

(C) Father
Explanation: The Schedule to the Hindu Succession Act, 1956, specifies the Class I heirs who have the first right to the property of an intestate Hindu male. This list includes the son, daughter, widow, and mother. The father is not a Class I heir; he is included in the category of Class II heirs.

66. Which one of the following is known as Consumer Disputes Redressal Agency?
(A) District Forum
(B) State Commission
(C) National Commission
(D) All the above.

Ans :

(D) All the above.
Explanation: The Consumer Protection Act establishes a three-tier quasi-judicial machinery for redressing consumer grievances. This machinery consists of the District Consumer Disputes Redressal Forum (now Commission) at the district level, the State Consumer Disputes Redressal Commission at the state level, and the National Consumer Disputes Redressal Commission at the national level.

67. The rule is that penal statutes must be constructed
(A) Liberally
(B) Strictly
(C) Golden rule
(D) Mischievous.

Ans :

(B) Strictly
Explanation: A fundamental rule of statutory interpretation is that penal statutes, which create offenses or impose penalties, must be construed strictly. This means that any ambiguity in the language of the statute should be resolved in favor of the accused. The court will not extend the scope of the offense beyond what the law clearly states.

68. The concept of "plea bargaining" is not applicable to the offence committed against
(A) A woman
(B) A child
(C) Both 1 and 2
(D) None of the above.

Ans :

(C) Both 1 and 2
Explanation: Section 265A of the Code of Criminal Procedure introduces plea bargaining. However, Section 265A(2) explicitly states that this provision shall not apply to any offense affecting the socio-economic condition of the country or any offense committed against a woman or a child below the age of fourteen years.

69. Which case is leading case on arrest
(A) Joginder Kumar vs. State of U.P.
(B) State of W.B. vs. D.K. Basu
(C) Both 1 and 2
(D) None of the above.

Ans :

(B) State of W.B. vs. D.K. Basu
Explanation: While both cases are important, D.K. Basu vs. State of West Bengal is the more comprehensive and leading case on the subject of arrest. The Supreme Court laid down a set of 11 mandatory guidelines to be followed by police during the arrest and detention of a person, aiming to prevent custodial torture and protect individual rights.

70. It refers to an authority derived from official character merely, expressly conferred not upon the rather individual character, but annexed to official position
(A) Designation
(B) Ex-Offico
(C) Appointment

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ALL INDIA BAR EXAMINATION IX

1. The conciliation proceedings-
(A) Can be used as evidence in any judicial proceedings.
(B) Can be used as evidence only in Arbitral proceedings.
(C) Can be used as evidence only on the discretion of the judge or arbitrator.
(D) Cannot be used as evidence in any judicial or arbitral proceedings.

Ans :

(D) Cannot be used as evidence in any judicial or arbitral proceedings.
Explanation: Section 81 of the Arbitration and Conciliation Act, 1996, mandates the confidentiality of conciliation proceedings to encourage frank and open discussions. It explicitly prohibits parties from relying on or introducing as evidence in any arbitral or judicial proceedings any views, proposals, or admissions made during the conciliation process.

2. The Serious Fraud Investigation Office
(A) Takes up cases suo motto
(B) Takes up cases for investigation on the basis of application made by the people concerned
(C) Takes up cases for investigations referred to it by Central Government
(D) All of the above

Ans :

(C) Takes up cases for investigations referred to it by Central Government
Explanation: The Serious Fraud Investigation Office (SFIO) is a statutory body under the Companies Act, 2013, that investigates complex corporate frauds. As per Section 212 of the Act, the SFIO can only take up cases for investigation upon a reference made to it by the Central Government. It does not have the power to initiate cases suo motu.

3. Directive Principles are-
(A) justifiable as fundamental rights
(B) justifiable but not as fundamental rights
(C) decorative portions of Indian Constitution
(D) not justifiable, yet fundamental in the governance of the country

Ans :

(D) not justifiable, yet fundamental in the governance of the country
Explanation: Article 37 of the Constitution of India clearly states that the Directive Principles of State Policy (DPSP) are not enforceable by any court, making them non-justiciable. However, the same article emphasizes that these principles are fundamental in the governance of the country and it is the duty of the State to apply them in law-making.

4. Who has the power to dissolve the Lok Sabha
(A) President
(B) Prime Minister
(C) Speaker of Lok Sabha
(D) Council of Ministers

Ans :

(A) President
Explanation: According to Article 85(2)(b) of the Constitution of India, the President has the authority to dissolve the Lok Sabha. This power is exercised by the President on the advice of the Prime Minister and the Council of Ministers. The dissolution marks the end of the term of the House, necessitating fresh general elections.

5. An amendment of the Constitution can be initiated by introduction of Bill for such purpose in
(A) Council of States
(B) House of People
(C) either in Council of States or House of People
(D) none of the above

Ans :

(C) either in Council of States or House of People

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76. In respect of family relations the law applicable in India is
(A) Secular law in India
(B) Statutory law
(C) Religious law
(D) Personal law of the parties.

Ans :

(D) Personal law of the parties.
Explanation: In India, matters related to family relations such as marriage, divorce, inheritance, and adoption are primarily governed by the personal laws of the respective religious communities. For example, Hindus are governed by Hindu Law, Muslims by Muslim Law, etc. While some of these are codified (statutory), the governing principle is the personal law of the parties involved.

77. Who is responsible for payment to a person employed by him in a factory under the Payment of Wages Act, 1936
(A) Accounts manager
(B) HR manager
(C) Floor manager
(D) Owner.

Ans :

(D) Owner.
Explanation: Under the Payment of Wages Act, 1936, the primary responsibility for the payment of wages to employees lies with the employer. In the context of a factory, the 'occupier' of the factory, who is often the owner, is designated as the employer and is held responsible for ensuring timely payment of wages.

78. Fulfilling the constitutional obligation under Article 300 A, the Land Acquisition Act, is the law providing for
(A) Acquisition of land and taking over possession of land
(B) Assessment of compensation
(C) Payment of compensation
(D) All of the above.

Ans :

(D) All of the above.
Explanation: Article 300A of the Constitution states that no person shall be deprived of their property save by authority of law. The Land Acquisition Act (now replaced by the 2013 Act) provides this legal authority. The process includes the acquisition of land, assessment of compensation based on market value, and the actual payment of this compensation to the landowner.

79. The various words used to denote Mens Rea under the IPC and are defined in the code itself are
(A) Voluntary, dishonestly, fraudulently & reason to believe
(B) Corruptly and want only
(C) Malignantly and maliciously
(D) Rashly and negligently.

Ans :

(A) Voluntary, dishonestly, fraudulently & reason to believe
Explanation: The Indian Penal Code does not use the term 'mens rea' but incorporates it through specific words indicating a guilty mind. Terms like 'dishonestly' (Section 24), 'fraudulently' (Section 25), 'reason to believe' (Section 26), and 'voluntarily' (Section 39) are explicitly defined within the code to denote different states of criminal intent.

80. There is either theft or extortion. It is
(A) Robbery
(B) Dacoity
(C) Criminal breach of trust
(D) Receiving stolen property.

Ans :

(A) Robbery
Explanation: Section 390 of the Indian Penal Code defines robbery. It states that "in all robbery there is either theft or extortion." Robbery is an aggravated form of theft or extortion. If, in committing theft, the offender causes or attempts to cause death, hurt, or wrongful restraint, it becomes robbery.

81. When can the Supreme Court refuse to grant remedy under Article
(A) Delay
(B) Malicious petition
(C) Infructuous petition
(D) All of the above.

Ans :

(D) All of the above.

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6), which is a claim for an ascertained sum of money against the plaintiff's claim. They can also file a counter-claim (Rule 6A), which is essentially a separate suit by the defendant against the plaintiff.

93. The Chairperson of Cyber Appellate Tribunal is appointed by the
(A) Central Government in consultation with the Chief Justice of India
(B) State Government in consultation with the Chief Justice of the High Court
(C) Central Government
(D) Central Government in consultation with Controller of Certifying Authority

Ans :

(A) Central Government in consultation with the Chief Justice of India
Explanation: As per the Information Technology Act, 2000 (prior to its amendment and replacement by other bodies), the Chairperson of the Cyber Appellate Tribunal was appointed by the Central Government. However, this appointment had to be made in consultation with the Chief Justice of India to ensure judicial independence and the selection of a qualified person.

94. Where the complaint alleges a defect in the goods which cannot be determined without proper analysis or test of the goods, the sample of goods forwarded to appropriate laboratory for laboratory test. Such types of case finding report within..... days
(A) 30 days
(B) 40 days
(C) 45 days
(D) 60 days

Ans :

(C) 45 days
Explanation: Under Section 13(1)(c) of the Consumer Protection Act, 1986, when a sample of goods is sent to an appropriate laboratory for analysis, the laboratory is required to submit its report to the District Forum within a period of forty-five days from the receipt of the sample, or within any extended period granted by the Forum.

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95. This section was enacted to meet the cases of dowry deaths. It is
(A) Section 366A of IPC
(B) Section 477A of IPC
(C) Section 498A of IPC
(D) Section 489A of IPC.

Ans :

(C) Section 498A of IPC
Explanation: Section 498A was inserted into the Indian Penal Code in 1983 to combat the menace of dowry-related harassment and cruelty. It criminalizes cruelty by a husband or his relatives towards a woman. While Section 304B specifically deals with dowry death, Section 498A is the primary provision addressing cruelty that often leads to such deaths.

96. Who is an adolescent as per Factories Act, 1948
(A) Who has completed 17 years
(B) Who is less than 18 years of age
(C) Who is more than 15 years but less than 18 years of age
(D) None of these

Ans :

(C) Who is more than 15 years but less than 18 years of age
Explanation: The Factories Act, 1948, defines different categories of young workers. An "adolescent" is specifically defined in Section 2(b) as a person who has completed their fifteenth year of age but has not yet completed their eighteenth year. This distinguishes them from a 'child' (below 15) and an 'adult' (18 and above).

97. The objective of the EU Directive on mediation is:
(A) Reducing back logs of cases at the Courts in the member States
(B) Dividing the cases between all dispute resolution methods
(C) Economical reasons in times of crisis, thus ensuring that mediators will have a proper income
(D) Ensuring better access to alternative dispute resolution in cross border commercial conflicts.

Ans :

87. Minto Morely reform is associated with which Act?
(A) Indian Council Act 1912
(B) Indian Council Act 1856
(C) Indian Council Act 1908
(D) Indian Council Act 1909.

Ans :

(D) Indian Council Act 1909.
Explanation: The Minto-Morley Reforms are directly associated with the Indian Councils Act of 1909. Lord Minto was the Viceroy of India and John Morley was the Secretary of State for India at the time. This Act introduced separate electorates for Muslims and increased the size of the legislative councils.

88. In which case did the Supreme Court hold that 'misconduct envisages breach of discipline'
(A) P.D Gupta vs. Ram Murti
(B) Noratanmal Chaurasia vs. M.R. Murli
(C) P.J Ratnam vs. D. Kanikaram
(D) None of the above.

Ans :

(B) Noratanmal Chaurasia vs. M.R. Murli
Explanation: In Noratanmal Chaurasia vs. M.R. Murli, the Supreme Court elaborated on the meaning of 'misconduct'. It held that misconduct is a broad term and includes any act that constitutes a breach of discipline. It signifies a transgression of some established and definite rule of action, a forbidden act, or a dereliction of duty.

89. A sells a field to B. There is a right of way over the field of which A has direct personal knowledge but which he conceals from B.
(A) B has the right to rescind the contract
(B) B cannot rescind the contract
(C) A has the right to rescind the contract
(D) A is not legally liable

Ans :

(A) B has the right to rescind the contract
Explanation: This scenario constitutes fraud under Section 17 of the Indian Contract Act, 1872. A's active concealment of a material fact (the right of way) which he knew to be true amounts to fraud. Under Section 19, when consent to an agreement is caused by fraud, the contract is voidable at the option of the party whose consent was so caused.

90. In the Government of India Act 1935, which subjects are included in the 'concurrent list ?
(A) Marriage
(B) Divorce & Arbitration
(C) Criminal Law & Procedure
(D) All of the above

Ans :

(D) All of the above
Explanation: The Government of India Act, 1935, introduced a tripartite division of legislative powers into Federal, Provincial, and Concurrent lists. The Concurrent List (List III) contained subjects on which both the federal and provincial legislatures could make laws. This list included crucial subjects like marriage and divorce, arbitration, and criminal law and procedure.

91. What is the Special Constitutional Position of Jammu and Kashmir?
(A) It is above Indian Constitution
(B) Indian laws are not applicable
(C) It has its own Constitution
(D) It is not of the integral parts of Indian Union

Ans :

(C) It has its own Constitution
Explanation: At the time this question paper was set (2017), Jammu and Kashmir held a special status under Article 370 of the Indian Constitution. A key aspect of this special status was that the state had its own Constitution, which governed its internal administration, separate from the Constitution of India for certain matters. This special status was abrogated in 2019.

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92. In a written statement, the defendant can claim:
(A) Set off
(B) Counter plain
(C) Both a & b
(D) None of the above.

Ans :

(C) Both a & b
Explanation: In a written statement, a defendant can raise several pleas. Under Order VIII of the CPC, a defendant can claim a set-off (Rule

Explanation: While Article 32 provides a guaranteed right to constitutional remedies, the Supreme Court can refuse relief in certain cases. It may decline to intervene if there has been an unreasonable delay (laches), if the petition is filed with malicious intent, or if the matter has become infructuous (the issue no longer exists), rendering any order ineffective.

82. Vikramaditya vs. Smt. Jamila Khatoon is an important case relating to professional misconduct due to which factor-
(A) Advocate attending the Court with fire arms
(B) Not appearing before the Court deliberately and intentionally
(C) Suppression of material facts with intention to harass poor persons
(D) Defrauding the client by exploiting the client's illiteracy.

Ans :

(D) Defrauding the client by exploiting the client's illiteracy.
Explanation: The case of Vikramaditya v. Smt. Jamila Khatoon deals with professional misconduct where an advocate took advantage of his client's illiteracy to defraud her. The advocate was found guilty of grave misconduct for deceiving the client and misappropriating funds, which is a serious breach of the trust and duties owed by a lawyer.

83. Motor Vehicles Act, 1939, came into force in?
(A) 1939
(B) 1940
(C) 1941
(D) 1942

Ans :

(B) 1940
Explanation: Although the Motor Vehicles Act was passed in 1939, its provisions came into force on different dates. The main sections of the Act were brought into effect on July 1, 1939, and March 12, 1940. For general purposes, it is considered to have come into force in 1940. This Act has since been replaced by the Motor Vehicles Act, 1988.

84. In case of a co-operative society the maximum amount on which income tax is not chargeable is
(A) 50,000
(B) 30,000
(C) 20,000
(D) Nil.

Ans :

(D) Nil.
Explanation: Unlike individuals, Hindu Undivided Families (HUFs), or other entities, there is no basic exemption limit for a co-operative society under the Income Tax Act, 1961. A co-operative society's income is taxable from the very first rupee, though it is taxed at different slab rates and certain deductions under Section 80P might be available.

85. Minimum number of members required to apply for Incorporation Certificate in a Public Ltd. Company is:
(A) 7
(B) 3
(C) 2
(D) 50.

Ans :

(A) 7
Explanation: According to the Companies Act, 2013, to form a public limited company, a minimum of seven members (or subscribers) are required. These founding members must subscribe their names to the Memorandum of Association. For a private company, the minimum requirement is two members, and for a One Person Company, it is one.

86. To close down a factory the occupier has to give how many days notice to the authorities
(A) 30 days
(B) 60 days
(C) 90 days
(D) 14 days.

Ans :

(B) 60 days
Explanation: Under the Industrial Disputes Act, 1947, specifically Section 25FFA, an employer intending to close down an undertaking is required to give at least sixty days' notice in the prescribed manner to the appropriate government, stating clearly the reasons for the intended closure. This applies to undertakings with 50 or more workmen.

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(D) Ensuring better access to alternative dispute resolution in cross border commercial conflicts.

Explanation: The primary objective of the EU Directive 2008/52/EC on mediation in civil and commercial matters is to facilitate access to alternative dispute resolution and to promote the amicable settlement of disputes. It specifically aims to ensure better access to mediation for resolving cross-border conflicts, thereby saving time and money for businesses and individuals.

98. Complaint means allegation in writing made by a complainant that-

(A) An unfair trade practice or restrictive trade practice has been adapted by any traders or service provider.

(B) The goods bought by him or agreed to be bought by him suffer from one or more defect

(C) A traders or the service provider as the case may be has charged for the goods or for the services mentioned in the complaint a price in excess of the price

(D) All the above

Ans :

(D) All of the above.

Explanation: Section 2(1)(c) of the Consumer Protection Act, 1986, defines a "complaint" broadly. It includes any written allegation concerning an unfair or restrictive trade practice, defective goods, deficient services, overcharging, or the offering of hazardous goods. All the listed options are valid grounds for filing a complaint under the Act.

99. A warrant of arrest may be extended -

(A) To that place where the offender has committed the offence

(B) At any place within India

(C) To the place specified under the Criminal Procedure Code

(D) None of the above

Ans :

(B) At any place within India

Explanation: According to Section 77 of the Code of Criminal Procedure, 1973, a warrant of arrest may be executed at any place in India. This provision gives the warrant pan-India enforceability, ensuring that an accused cannot evade arrest simply by moving from the jurisdiction of the issuing court to another part of the country.

100. An appeal to the High Court against the order of ITAT should be filed within

(A) 45 days when the order is communicated

(B) 60 days when the order is communicated

(C) 90 days when the order is communicated order is when the

(D) 120 days communicated

Ans :

(D) 120 days communicated

Explanation: According to Section 260A(2)(a) of the Income Tax Act, 1961, an appeal to the High Court against an order of the Income Tax Appellate Tribunal (ITAT) must be filed within one hundred and twenty days from the date on which the order appealed against is received by the assessee or the Principal Commissioner or Commissioner.

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(D) Ad interim.

Ans :

(B) Ex-Offico
Explanation: "Ex-officio" is a Latin term meaning "by virtue of one's office or position." An ex-officio member of a body is a person who holds a position because they hold another specific office. The authority is annexed to the official position and not to the individual holding it.

71. In most EU member countries, which of the following is the most visible form of ADR?
(A) Mediation
(B) Arbitration
(C) Litigation
(D) Conciliation.

Ans :

(A) Mediation
Explanation: Within the European Union, mediation has been actively promoted as a primary form of Alternative Dispute Resolution (ADR), especially for civil and commercial disputes. The EU Mediation Directive (2008/52/EC) was enacted to encourage its use in cross-border disputes, making it a highly visible and structured ADR mechanism across member states, distinct from arbitration.

72. Which of the following Section deals with search warrant
(A) 93
(B) 94
(C) 95
(D) 96

Ans :

(A) 93
Explanation: Section 93 of the Code of Criminal Procedure, 1973, specifically deals with the issuance of a search warrant. It empowers a court to issue a warrant authorizing a search when it has reason to believe that a person will not produce a document or thing as required by a summons, or when a general search is necessary.

73. Natural guardian of an adopted son under the Hindu Minority & Guardianship Act, 1956 is
(A) Original father
(B) original mother(In the absence of)
(C) Adoptive father
(D) None of the above.

Ans :

(C) Adoptive father
Explanation: Upon a valid adoption, all ties of the child in the family of his or her birth are severed and replaced by those created by the adoption in the adoptive family. Consequently, under the Hindu Minority and Guardianship Act, 1956, the adoptive father becomes the natural guardian of the adopted son.

74. Which condition is not required to be satisfied by an invention to be patentable matter under Patent Act
(A) Novelty subject
(B) Inventive steps
(C) Distinctiveness
(D) Usefulness.

Ans :

(C) Distinctiveness
Explanation: The Indian Patents Act, 1970, lays down three primary conditions for an invention to be patentable: it must be new (novelty), it must involve an inventive step (non-obviousness), and it must be capable of industrial application (usefulness). "Distinctiveness" is a key requirement for a trademark, not for a patent.

75. 'A' resides at Shimla, 'B' at Kolkata and 'C' at Delhi. A, B & C being together at Banaras. B & C make a joint promissory note, payable on demand and delivered to A. A may sue B &C
(A) At Banaras, where the cause of action arose
(B) At Kolkata where B resides.
(C) At Delhi where C resides.
(D) All of the above.

Ans :

(D) All of the above.
Explanation: According to Section 20 of the Code of Civil Procedure, a suit can be instituted where the defendant resides or where the cause of action wholly or partly arises. In this case, the cause of action arose in Banaras. The defendants, B and C, reside in Kolkata and Delhi, respectively. Therefore, A can file the suit in any of these three locations.

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Explanation: Article 368 of the Constitution of India outlines the procedure for amendment. It specifies that a bill for amending the Constitution can be introduced in either the Lok Sabha (House of the People) or the Rajya Sabha (Council of States). It must then be passed by both Houses to proceed further.

6. Which of the following is a function of Central Pollution Control Board under the provisions of Section 16 of the Air (Prevention and Control of Pollution) Act, 1981?
(A) To carry out and sponsor investigation and research relating to problems of pollution and prevention, control or abatement of pollution.
(B) To improve the quality of air
(C) Both (1) and (2)
(D) neither (1) and (2)

Ans :

(C) Both (1) and (2)
Explanation: Section 16 of the Air (Prevention and Control of Pollution) Act, 1981, enumerates the functions of the Central Pollution Control Board (CPCB). Its primary function is to improve air quality and prevent its pollution. To achieve this, it is also mandated to plan and execute research and investigations into air pollution issues.

7. The destruction of fish by use of explosive or by poisoning the water is prohibited by
(A) Environment (Protection) Act, 1986
(B) The Water (Prevention and Control of Pollution) Act, 1974
(C) Indian Fisheries Act, 1897
(D) The National Green Tribunal Act, 2010.

Ans :

(C) Indian Fisheries Act, 1897
Explanation: The Indian Fisheries Act of 1897 is the specific legislation that addresses the protection of fish populations. Section 4 of this Act explicitly prohibits the use of explosives, and Section 5 prohibits poisoning water for the purpose of catching or destroying fish, making such acts punishable offenses.

8. Section 10 of CPC does not apply-
(A) when the previous suit is pending in the same Court
(B) when the previous suit is pending in a foreign Court
(C) when the previous suit is pending in any other Court of India.
(D) when the previous suit is pending in a Court outside India established by the Central Government

Ans :

(B) when the previous suit is pending in a foreign Court
Explanation: Section 10 of the Civil Procedure Code, which provides for the stay of a suit (Res Sub Judice), applies only when a previously instituted suit on the same matter is pending in a court within India. The explanation to the section clarifies that the pendency of a suit in a foreign court does not prevent Indian courts from trying a suit on the same cause of action.

9. Principle of Res judicata is
(A) Mandatory
(B) Directory
(C) Discretionary
(D) All the above

Ans :

(A) Mandatory
Explanation: The principle of Res Judicata, contained in Section 11 of the CPC, is a mandatory provision. It bars a court from trying any suit or issue that has already been finally decided in a previous suit between the same parties by a competent court. This is a rule of public policy to give finality to litigation and is not subject to the court's discretion.

10. International law is a weak law because
(A) It is not enforceable as such, it is not a law but a positive morality
(B) There is absence of compulsory dispute settlement mechanisms and independent system of sanctions
(C) It only includes States as subjects
(D) There is no dependable sources available.

Ans :

(B) There is absence of compulsory dispute settlement mechanisms and independent system of sanctions
Explanation: One of the primary criticisms of international law is the lack of a robust

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enforcement mechanism. Unlike domestic legal systems, it lacks a world legislature, a judiciary with compulsory jurisdiction, and a centralized enforcement agency or police force. The effectiveness of sanctions and dispute resolution often depends on the political will of states.

11. Which of the following territories have been declared as Common Heritage of Mankind Territories?
(A) Moon (B) High seas (C) Deep sea bed (D) Antarctica
(A) A, B and D
(B) A and C
(C) B, C, and D
(D) B and D

Ans :

(C) B, C, and D
Explanation: The principle of "Common Heritage of Mankind" in international law designates certain areas as belonging to all humanity, with their resources to be managed for the benefit of all. This concept has been applied to the High Seas, the Deep Seabed and its mineral resources (under UNCLOS), and Antarctica (under the Antarctic Treaty System).

12. Which of the following is not the objective of the United Nations
(A) Maintenance of International peace and security
(B) Ensuring respect for treaty' obligations
(C) Establishment of democratic Governments throughout the world
(D) Promotion of better standards of life

Ans :

(C) Establishment of democratic Governments throughout the world
Explanation: The purposes of the United Nations are outlined in Article 1 of the UN Charter. They include maintaining international peace, developing friendly relations, achieving international cooperation, and promoting human rights. However, the charter is based on the principle of sovereign equality and does not impose any specific form of government, such as democracy, on its member states.

13. The committee that led to the passing of the Criminal Law Amendment Act, 2013 was headed by-
(A) Justice Dalveer Bhandari
(B) Justice Altamas Kabeer
(C) Justice J.S. Verma
(D) Justice J.S. Anand

Ans :

(C) Justice J.S. Verma
Explanation: Following the 2012 Delhi gang rape and murder case, the Government of India formed a three-member committee to recommend amendments to criminal law to address crimes against women more effectively. This influential committee was headed by the former Chief Justice of India, J.S. Verma. Its report was pivotal in shaping the Criminal Law (Amendment) Act, 2013.

14. If an instrument may be construed either as promissory note or bill of exchange, it is
(A) a valid instrument
(B) an ambiguous instrument
(C) a returnable instrument
(D) none of the above

Ans :

(B) an ambiguous instrument
Explanation: According to Section 17 of the Negotiable Instruments Act, 1881, when an instrument is crafted in such a way that it can be interpreted as either a promissory note or a bill of exchange, it is termed an "ambiguous instrument." The law gives the holder the right to treat it as either one at their discretion.

15. How is the net worth of a foreign Company calculated for the purpose of Corporate Social Responsibility?
(A) The networth will be calculated as per Section 198 of Companies Act, 2013
(B) It shall be calculated as per Section 197 of the Companies Act, 2013
(C) It shall be calculated as per Section 197 and Section 381 of the Companies Act, 2013
(D) It shall be calculated as per Section 198 and Sec. 381 of Companies Act, 2013.

Ans :

(D) It shall be calculated as per Section 198 and Sec. 381 of Companies Act, 2013.

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Explanation: For foreign companies, the applicability of Corporate Social Responsibility (CSR) provisions under Section 135 of the Companies Act, 2013, is determined by their net worth or turnover or net profit in India. The rules specify that the balance sheet and profit and loss account, prepared under Section 381, form the basis for these calculations, and net profit is calculated as per Section 198.

16. According to one of the theories of punishment evil should be returned by evil. This theory is called the
(A) Reformative Theory
(B) Deterrent Theory
(C) Preventive Theory
(D) Retributive Theory

Ans :

(D) Retributive Theory
Explanation: The Retributive Theory of punishment is based on the principle of "an eye for an eye, a tooth for a tooth." It posits that punishment should be a proportionate response to the crime committed, essentially meaning that the offender should suffer a harm or evil that is equivalent to the one they inflicted.

17. Which of the following actions can be taken by a Registrar under Section 4 (5) of the Companies Act, 2013?
(A) He can direct the Company to change its name within a period of 6 months after passing an ordinary resolution
(B) Take action for striking off the name of the Company from the registrar of Companies
(C) Order winding up of the Company on his own accord
(D) All of these

Ans :

(A) He can direct the Company to change its name within a period of 6 months after passing an ordinary resolution
Explanation: Section 4(5)(i) of the Companies Act, 2013, empowers the Registrar of Companies (RoC) to direct a company to change its name if, through inadvertence or otherwise, it has been registered with a name that is identical to or too closely resembles the name of an existing company. The company must comply by passing an ordinary resolution.

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18. Which of the following are included in the concept of "State" under Article 12?
(A) Railway Board and Electricity Board
(B) Judiciary
(C) University
(D) All of the above

Ans :

(D) All of the above
Explanation: The term "State" under Article 12 of the Constitution has been interpreted broadly by the Supreme Court. It includes not just the government and Parliament but also various bodies and instrumentalities that perform public functions, such as government boards (Railway, Electricity), universities, and even the judiciary in its non-judicial functions.

19. The word 'procedure established by law' in Article 21 means
(A) that due process of law must be followed
(B) A procedure laid down or enacted by a competent authority
(C) The same thing as due process of law
(D) A law which is reasonable, just and fair.

Ans :

(D) A law which is reasonable, just and fair.
Explanation: Initially, 'procedure established by law' was interpreted narrowly. However, in the case of Maneka Gandhi v. Union of India, the Supreme Court expanded its meaning. It held that the procedure must not only be established by a valid law but must also be right, just, and fair, and not arbitrary, fanciful, or oppressive, effectively incorporating aspects of "due process."

20. Objection as to non-joinder or mis-joinder of parties under Order 1, Rule 13 of CPC
(A) Can be taken at any stage of the proceedings
(B) should be taken at the earliest possible opportunity or shall be invalid
(C) can be taken in appeal or revision for the first time
(D) either (1) or (3)

Ans :

(B) should be taken at the earliest possible opportunity or shall be invalid
Explanation: Order 1, Rule 13 of the CPC mandates that all objections regarding the non-

(D) Lis pendens

Ans :

(B) Abrogated decision
Explanation: The binding force of a judicial precedent (stare decisis) can be nullified in several ways. An "abrogated decision" refers to a precedent that has been overruled by a higher court or reversed on appeal. Once a decision is abrogated, it loses its authority as a binding precedent for lower courts.

42. Which of the following is true in respect of a Government contract which does not confirm to provisions of Article 299 of the Constitution?
(A) They are not enforceable in Court against the parties
(B) They can be rectified by the Government
(C) Both (1) and (2)
(D) Neither (1) nor (2)

Ans :

(A) They are not enforceable in Court against the parties
Explanation: Article 299 of the Constitution lays down mandatory requirements for government contracts, including that they must be expressed to be made by the President or Governor and executed by an authorized person. A contract that fails to comply with these formal requirements is void and cannot be enforced against the government.

43. State Bar Council under the provisions of Section 35 of the Advocates Act, 1961 has the authority to
(A) Reprimand the advocate
(B) Suspend the advocate from practice for such period of time as it may deem fit
(C) Remove the name of the advocate from the State roll of advocates
(D) All of these

Ans :

(D) All of these
Explanation: Section 35(3) of the Advocates Act, 1961, empowers the disciplinary committee of a State Bar Council to impose penalties on an advocate found guilty of professional misconduct. The punishments include reprimanding the advocate, suspending them from practice for a specified period, or removing their name from the state roll of advocates.

44. Which of the following is untrue. regarding qualification for a person to be admitted on the State rolls maintained by State Bar Councils
(A) The minimum age of requirement is 21 years.
(B) He must be an Indian Citizen
(C) He must not have been convicted of an offence involving moral turpitude
(D) They must not have been convicted of an offence under the provisions of the Untouchability (Offences) Act, 1958

Ans :

(B) He must be an Indian Citizen
Explanation: While most conditions listed are generally required, Section 24 of the Advocates Act, 1961, does not restrict enrollment solely to Indian citizens. It allows for a national of any other country to be admitted as an advocate if citizens of India are permitted to practice law in that other country, subject to reciprocity.

45. Time which has begun to run can be stopped in case of
(A) Minority
(B) Insanity
(C) Idiocy
(D) None of the above

Ans :

(D) None of the above
Explanation: A fundamental principle of the Limitation Act, 1963, is encapsulated in Section 9: "Once time has begun to run, no subsequent disability or inability to institute a suit or make an application stops it." This means that legal disabilities like minority or insanity cannot halt the limitation period if it has already started to run.

46. To establish section 34
(A) Common Intention must be proved but not overt act is required to be proved.
(B) Common intention and overt act both are required to be proved
(C) Common intention need not be proved but only overt act is required to be proved.
(D) All of the above

Ans :

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Therefore, none of the given options qualify as retrenchment.

26. Which of the following Statement holds true regarding imprisonment under the provisions of Section 14 (3) of the Child Labour (Prohibition and Regulation) Act, 1986
(A) It may extend to one year.
(B) It may extend to two years.
(C) It may extend to six months.
(D) It may extend to one month

Ans :

(B) It may extend to two years.
Explanation: Section 14 of the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986, prescribes penalties. For a second or subsequent offence, subsection (1A) (which replaced the old section 14(3)) specifies a punishment of imprisonment for a term which shall not be less than six months but which may extend to two years.

27. Onus to prove reasonable excuse for withdrawal from the Society of the other is on
(A) Petitioner
(B) Respondent
(C) Both (1) and (2)
(D) Either (1) or (2)

Ans :

(B) Respondent
Explanation: In a petition for restitution of conjugal rights, the petitioner alleges that the respondent has withdrawn from their society without a reasonable excuse. The initial burden is on the petitioner. However, once withdrawal is established, the onus shifts to the respondent to prove that they have a reasonable excuse for staying away.

28. Which of the following Statements hold true for adjudicatory bodies
(A) Doctrine of Stare Decisis applies to them
(B) Doctrine of Res judicata does not apply to them
(C) Inherent lack of jurisdiction in a Tribunal cannot be cured or created by the act of the parties
(D) None of the above

Ans :

(C) Inherent lack of jurisdiction in a Tribunal cannot be cured or created by the act of the parties
Explanation: A fundamental legal principle is that jurisdiction cannot be conferred by the consent of the parties. If a tribunal or court inherently lacks the jurisdiction to hear a matter, the parties cannot, by their agreement or actions, grant it that jurisdiction. Any order passed by such a body without jurisdiction is a nullity.

29. The Supreme Court held in V.C. Rangadurai vs. D. Gopalan that an advocate who has been disbarred or suspended from practice must prove after expiration of a reasonable length of time that,
(A) He appreciates the insignificance of his dereliction
(B) He has lived a consistent life of poverty and integrity
(C) He possesses the good character necessary to guarantee uprightness and honour in his professional dealings
(D) The burden is on the applicant to establish that he entitled to resume the privilege of practicing law without restrictions.

Ans :

(C) He possesses the good character necessary to guarantee uprightness and honour in his professional dealings
Explanation: In V.C. Rangadurai vs. D. Gopalan, the Supreme Court emphasized that the legal profession demands the highest standards of integrity. For an advocate seeking readmission after being disbarred, it is not enough to simply serve the suspension period. They must affirmatively demonstrate a positive change in character, proving they are now fit and trustworthy to practice law.

30. The present Arbitration and Conciliation Act of 1996 is based on-
(A) Constitution of India
(B) Supreme Court of India guidelines
(C) European Commercial Arbitration procedure.
(D) Uncitral

Ans :

(D) Uncitral

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Explanation: The Arbitration and Conciliation Act, 1996, was enacted to bring Indian arbitration law in line with international standards. The Act is based on the Model Law on International Commercial Arbitration adopted in 1985 by the United Nations Commission on International Trade Law (UNCITRAL), which provides a globally recognized framework for arbitration.

31. Who among the following is authorized to issue regarding shelf prospectus
(A) SEBI
(B) Central Government
(C) Company Law Board regulations
(D) National Company Law Tribunal

Ans :

(A) SEBI
Explanation: A shelf prospectus, defined under the Companies Act, 2013, allows certain companies to issue securities to the public in one or more tranches without a fresh prospectus for each issue. The eligibility and procedural requirements for issuing a shelf prospectus are prescribed by the Securities and Exchange Board of India (SEBI).

32. Which of the following is not included in the definition of cattle as given under the Indian Forest Act, 1927
(A) Rams
(B) Kids
(C) Kitten
(D) None of these

Ans :

(C) Kitten
Explanation: Section 2(1) of the Indian Forest Act, 1927, provides a definition of "cattle". This definition is inclusive and lists animals like elephants, camels, buffaloes, horses, mares, geldings, ponies, colts, fillies, mules, asses, pigs, rams, ewes, sheep, lambs, goats, and kids. It does not include cats or kittens.

33. The provisions of the Arbitration and Conciliation Act, 1996 have to be interpreted being uninfluenced by the principles underlying the 1940 Act. This observation was laid down in -
(A) M.M.T.C. Ltd vs. Sterlite Industries (India) Ltd.
(B) Sunderam Finance Ltd. vs. N.E.P.C. Ltd.
(C) Olympus Superstructures Pvt. Ltd. vs. Meera Vijay
(D) Orma Impex Pvt. Ltd. vs. Nissari Pvt. Ltd.

Ans :

(B) Sunderam Finance Ltd. vs. N.E.P.C. Ltd.
Explanation: In the case of Sundaram Finance Ltd. v. NEPC India Ltd., the Supreme Court held that the 1996 Arbitration and Conciliation Act was intended to be a complete departure from the old 1940 Act. The Court emphasized that the new Act must be interpreted on its own terms, without being influenced by the jurisprudence developed under the previous, repealed legislation.

34. Which of the following services cannot be provided to the Company by an auditor appointed, under the provisions of the Companies Act, 2013
(A) Internal Audit
(B) Actuarial services
(C) Managerial Services
(D) All of these

Ans :

(D) All of these
Explanation: Section 144 of the Companies Act, 2013, lists specific non-audit services that an auditor of a company is prohibited from rendering, either directly or indirectly. This list includes services like internal audit, actuarial services, and managerial services, among others, to ensure the auditor's independence and avoid conflicts of interest.

35. Under the Wild Life (Protection) Act, 1972, any person who teases an animal in a zoo maybe punished
(A) with fine with may extend to 5000
(B) with imprisonment which may extend upto 1 year
(C) Both (1) and (2)
(D) Neither (1) or (2)

Ans :

(D) Neither (1) or (2)
Explanation: Section 38J of the Wild Life (Protection) Act, 1972, prohibits teasing, molesting, injuring, or feeding any animal in a zoo. The penalty for this offense is prescribed

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under Section 51, which includes imprisonment for a term which may extend to three years or with a fine which may extend to twenty-five thousand rupees, or both. The options provided are incorrect.

36. The entry on forests and protection of Wild animals and birds was moved from..... to the..... by the 42nd Amendment to the Constitution of India.
(A) Centre list to State list
(B) Centre list to Concurrent list
(C) State list to Concurrent list
(D) State list to Union list

Ans :

(C) State list to Concurrent list
Explanation: The 42nd Constitutional Amendment Act of 1976 was a significant restructuring of the Constitution. Through this amendment, five subjects, including "Forests" (Entry 17A) and "Protection of wild animals and birds" (Entry 17B), were transferred from the State List (List II) to the Concurrent List (List III), giving both the Centre and states legislative power over them.

37. Droit des Gens (Law of Nations) 1758 was written by
(A) Cornelius van Bynkershoek
(B) Emerich de Vattel
(C) Richard Zouch
(D) Jean Bodin

Ans :

(B) Emerich de Vattel
Explanation: "Le Droit des Gens" (The Law of Nations) is a highly influential work in the history of international law. It was written by the Swiss philosopher and jurist Emer de Vattel and published in 1758. The book applied principles of natural law to international relations and the conduct of states.

38. What is true of perpetual injunction
(A) It is a judicial process
(B) preventive in nature
(C) the thing prevented is a wrongful act
(D) all of the above

Ans :

(B) preventive in nature
Explanation: A perpetual injunction is an order of the court that permanently restrains a party from committing a particular act. Its primary nature is preventive, aiming to stop a future or continuing wrongful act that infringes upon the plaintiff's rights. While it is a judicial process and prevents a wrongful act, its core characteristic is being a preventive remedy.

39. The provisions of do not apply to trade unions registered under the Provisions of Trade Union Act, 1926.
(A) The Co-operative Societies Act, 1912
(B) The Companies Act, 1956
(C) Both (1) and (2)
(D) Neither (1) nor (2)

Ans :

(C) Both (1) and (2)
Explanation: Section 14 of the Trade Unions Act, 1926, explicitly states that certain other acts shall not apply to registered Trade Unions. Specifically, it mentions The Societies Registration Act, 1860, The Co-operative Societies Act, 1912, and The Companies Act, 1956 (now the Companies Act, 2013). This gives Trade Unions a distinct legal status.

40. According to Salmond every legal right
(A) Cannot be vested in a person
(B) Is availed against a person upon whom lies the correlative duty
(C) Cannot oblige the person bound to an act or omission in favour of the person entitled
(D) Cannot have a title

Ans :

(B) Is availed against a person upon whom lies the correlative duty
Explanation: The jurist Salmond's theory of legal rights is based on the concept of correlation. According to this theory, every legal right has a corresponding or correlative duty. A right vested in one person is only meaningful because there is a corresponding duty imposed upon another person to respect that right.

41. The binding force of precedent is destroyed or weakened by
(A) Public opinion
(B) Abrogated decision
(C) Res judicata

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Ans :

(C) cannot be solely made the basis of the same is conviction corroborated unless
Explanation: A retracted confession is a statement of guilt made by an accused which they later deny. While it does not become inadmissible, courts treat it with caution. The established rule of prudence is that a retracted confession should not form the sole basis of a conviction unless it is corroborated by other independent and reliable evidence.

52. A confession to be inadmissible under Section 25 of the Act
(A) must relate to the same crime for which offender is charged
(B) may relate to the same crime for which offender is charged
(C) must relate to another crime
(D) none of the above

Ans :

(C) must relate to another crime
Explanation: Section 25 of the Indian Evidence Act states that no confession made to a police officer shall be proved against a person accused of any offence. The inadmissibility applies to any confession, regardless of whether it pertains to the crime being investigated or another crime. The statement "must relate to another crime" is incorrect as it applies to all confessions.

53. An unjustified and unexplained long delay on the part of the Investigating Officer in recording the Statement of a material witness would render the evidence of such witness
(A) Unreliable
(B) Inadmissible
(C) Inadmissible and unreliable
(D) None of the above

Ans :

(A) Unreliable
Explanation: While a delay in recording a witness's statement under Section 161 of the CrPC does not automatically make the evidence inadmissible, it can cast serious doubt on its credibility. An inordinate and unexplained delay raises the suspicion of tutoring or fabrication, thereby making the witness's testimony unreliable and weakening the prosecution's case.

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54. Recording of pre-summoning evidence may be dispensed with under Section 200 of Cr.PC.
(A) If the complaint is supported by the affidavit of the complainant
(B) If the complaint is made in writing by a public servant in the discharge of his official duties
(C) both I and 2 are correct
(D) only 1 is correct but 2 is incorrect

Ans :

(B) If the complaint is made in writing by a public servant in the discharge of his official duties
Explanation: Section 200 of the CrPC requires a Magistrate to examine the complainant on oath. However, the proviso to this section allows the Magistrate to dispense with this examination if the complaint is made in writing by a public servant acting in the discharge of their official duties or if a court has made the complaint.

55. Contract without consideration made in writing and registered and made on account of natural love and affection is
(A) void
(B) reasonable
(C) valid
(D) unenforceable

Ans :

(C) valid
Explanation: Section 25 of the Indian Contract Act, 1872, states that an agreement made without consideration is void. However, it provides exceptions. One such exception is an agreement made on account of natural love and affection between parties standing in a near relation, provided it is in writing and registered. Such a contract is valid.

56. Under the Transfer of Property Act, 1882
(A) the salary of a public officer can be transferred
(B) the salary of a public officer cannot be transferred
(C) public office can be transferred
(D) none of the above

Ans :

(B) the salary of a public officer cannot be transferred

(B) Common intention and overt act both are required to be proved
Explanation: To invoke Section 34 of the IPC (Acts done by several persons in furtherance of common intention), the prosecution must establish two key elements. First, there must be a pre-arranged plan or a common intention shared by all accused. Second, there must be participation in some act or overt act in furtherance of that common intention.

47. Under the provisions of the Industrial Disputes Act, 1947, the appropriate Government can by order in writing
(A) Refer the dispute to a Board for promoting a settlement of the dispute
(B) Refer any matter appearing to be relevant to the dispute to a Court for inquiry
(C) Both (1) and (2)
(D) neither (1) nor (2)

Ans :

(C) Both (1) and (2)
Explanation: Section 10 of the Industrial Disputes Act, 1947, gives the appropriate government wide powers to refer industrial disputes to various bodies. It can refer a dispute to a Board of Conciliation for settlement, a Court of Inquiry for investigation, or a Labour Court/Tribunal for adjudication, depending on the nature of the dispute.

48. Which of the following Statement is true for loss of confidence by management in the workman?
(A) Even when dismissal or discharge is held to be wrongful, the Court may not yet order reinstatement if the employer is able to establish that the workman held a position of trust and there was loss of confidence.
(B) Loss of confidence may also be a ground for discharge simpliciter of the workman
(C) Both (1) and (2)
(D) neither (1) nor (2)

Ans :

(C) Both (1) and (2)
Explanation: "Loss of confidence" is a significant concept in labour law. Courts have held that if an employer can substantiate a genuine loss of confidence in an employee, especially one in a position of trust, reinstatement may not be an appropriate remedy even if the dismissal was procedurally flawed. It can also be a valid, non-stigmatic reason for a simple discharge.

49. Under the provisions of the Consumer Protection Act, 1986, the period of limitation complaint before the Commission is for filing National
(A) 1 year from the date on which cause of action has arisen
(B) 2 year from the date on which cause of action has arisen
(C) 3 year from the date on which cause of action has arisen
(D) 4 year from the date on which cause of action has arisen

Ans :

(B) 2 year from the date on which cause of action has arisen
Explanation: Section 24A of the Consumer Protection Act, 1986, prescribes a uniform limitation period for filing complaints before any of the consumer commissions (District, State, or National). The complaint must be filed within two years from the date on which the cause of action has arisen.

50. Grievous hurt under the Motor Vehicles Act, 1988 means'
(A) Grievous hurt as defined in IPC
(B) Grievous hurt as defined in medical laws
(C) Grievous hurt as detected by medical practitioner
(D) none of the above

Ans :

(A) Grievous hurt as defined in IPC
Explanation: The Motor Vehicles Act, 1988, does not provide its own separate definition for "grievous hurt." Section 140, dealing with no-fault liability, refers to death or permanent disablement. For general purposes and in claims tribunals, the definition of "grievous hurt" as provided in Section 320 of the Indian Penal Code, 1860, is adopted.

51. A retracted confession-
(A) can be solely made the basis of conviction
(B) cannot be solely made the basis of conviction
(C) cannot be solely made the basis of the same is conviction corroborated unless
(D) both a and c are correct

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joinder or mis-joinder of parties must be raised at the earliest possible opportunity. Specifically, it must be done at or before the settlement of issues, unless the ground for objection has arisen subsequently. Failing to do so is considered a waiver of the objection.

21. Objection as to the place of suing
(A) can only be taken before the Court of first instance at the earliest possible opportunity
(B) can also be taken before the appellate Court for the first time
(C) can also be taken before the Court of revision for the first time
(D) all of the above

Ans :

(A) can only be taken before the Court of first instance at the earliest possible opportunity
Explanation: Section 21 of the CPC states that any objection related to the place of suing (territorial jurisdiction) must be raised in the court of first instance. It must be taken at the earliest possible opportunity and in all cases where issues are settled, at or before such settlement. It cannot be raised for the first time in an appellate or revisional court.

22. On the retirement, removal or death of a next friend, under Order XXXII, Rule 10 of CPC, the suit is liable to be
(A) stayed
(B) dismissed
(C) rejected
(D) either 1, 2 OR 3

Ans :

(A) stayed
Explanation: Order XXXII, Rule 10 of the CPC provides that if the next friend of a minor plaintiff retires, is removed, or dies, the proceedings are put on hold. The suit is stayed until a new next friend is appointed in their place to ensure that the minor's interests continue to be properly represented in the litigation.

23. In India which of the following authorities has the power to block websites?
(A) CERT-in
(B) MCIIPC
(C) C-DAC
(D) Ministry of IT

Ans :

(D) Ministry of IT
Explanation: Under Section 69A of the Information Technology Act, 2000, the Central Government, specifically the Ministry of Electronics and Information Technology (MeitY), is empowered to issue directions to block public access to any information through any computer resource. This power is exercised in the interest of national security, public order, etc.

24. The right to private defence is
(A) available under all circumstances
(B) available when there is time to have the recourse to the protection of public authorities
(C) available when there is no time to have recourse of public authorities
(D) All the above

Ans :

(C) available when there is no time to have recourse of public authorities
Explanation: Section 99 of the Indian Penal Code places restrictions on the right of private defence. A key limitation is that this right is not available if there is sufficient time to seek protection from public authorities. The right is meant to be exercised only when there is an immediate threat and no opportunity to get help from the state machinery.

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25. Which of the following can be considered retrenchment under the provisions of the Industrial Disputes Act, 1947?
(A) Termination due to ill-health
(B) Abandonment of job by an employee
(C) Termination on account of reaching the age of superannuation
(D) None of these

Ans :

(D) None of these
Explanation: Section 2(oo) of the Industrial Disputes Act, 1947, defines "retrenchment" but also lists specific exclusions. The definition explicitly excludes termination due to continued ill-health, voluntary retirement, and termination upon reaching the age of superannuation as stipulated in the contract of employment.

Explanation: Section 6(f) of the Transfer of Property Act, 1882, explicitly states that a public office cannot be transferred, nor can the salary of a public officer, whether before or after it has become payable. This provision is based on public policy to ensure the dignity of public office and the proper discharge of duties.

57. Where a debt is transferred for the purpose of securing an existing or future debt, the debt so transferred, if or received by the transferor recovered by the by the transferee applicable first, in payment of cost of is such recovery. This is the provision of
(A) mortgaged debt
(B) gift
(C) actionable claim
(D) lease

Ans :

(A) mortgaged debt
Explanation: This question describes the principle of application of proceeds from a transferred debt, which is characteristic of securing a loan. When an actionable claim (like a debt) is transferred as security, it functions similarly to a mortgage. Section 134 of the Transfer of Property Act deals with the mortgage of an actionable claim.

58. A suit under Section 6 of the Specific Relief Act can be brought by
(A) trespasser
(B) a tenant holding over
(C) servant
(D) manager

Ans :

(B) a tenant holding over
Explanation: Section 6 of the Specific Relief Act provides a summary remedy for a person who is dispossessed of immovable property without due process of law. A "tenant holding over" (a tenant who continues in possession after the lease has ended) is considered to have juridical possession and can file a suit under this section if wrongfully evicted. A trespasser cannot.

59. Injunction cannot be granted in a suit
(A) in which the specific performance cannot enforced
(B) for breach of negative contract to enforce specific contract
(C) for declaration where the plaintiff is in possession
(D) neither 1, nor 2, nor 3

Ans :

(A) in which the specific performance cannot enforced
Explanation: Section 41(e) of the Specific Relief Act, 1963, provides that an injunction cannot be granted to prevent the breach of a contract, the performance of which would not be specifically enforced. This means if a contract is of such a nature that a court would not order its specific performance, it will also not grant an injunction to prevent its breach.

60. State practice for the formation of customary rule includes
(A) State actions (B) State claims
(A) only A
(B) only B
(C) both A and B
(D) neither Anor B

Ans :

(C) both A and B
Explanation: The formation of a rule of customary international law requires two elements: state practice (usus) and a belief that such practice is legally required (opinio juris). State practice is a broad concept that includes not only the physical actions of states but also their official statements, diplomatic correspondence, national legislation, and claims made in international forums.

61. The Controller of Certifying Authorities in India must maintain a database of the disclosure records of
(A) Certifying Authority (B) Cross Certifying Authority (C) Foreign Certifying Authority
(A) A and B
(B) B and C
(C) Cand A
(D) A, B and C

Ans :

(D) A, B and C
Explanation: Under the Information Technology Act, 2000, the Controller of Certifying Authorities (CCA) has a supervisory role.

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(C) at the option of Court
(D) none of the above

Ans :

(A) at the option of creditor so defeated or delayed
Explanation: Section 53 of the Transfer of Property Act, 1882, deals with fraudulent transfers. It provides that a transfer of immovable property made with the intent to defraud, defeat, or delay creditors is voidable at the option of any creditor so defrauded, defeated, or delayed. This allows the affected creditor to challenge and set aside the transfer.

93. Where co-judgment debtors are in the position of joint promisors, each is
(A) not jointly and severally liable to the decree holder
(B) jointly and severally liable to the decree holder
(C) jointly liable to the decree holder only
(D) severally liable to the decree holder only

Ans :

(B) jointly and severally liable to the decree holder
Explanation: Based on Section 43 of the Indian Contract Act, when two or more persons make a joint promise, the promisee may compel any one or more of such joint promisors to perform the whole promise. This principle of joint and several liability extends to co-judgment debtors, making each one fully liable to the decree-holder for the entire decretal amount.

94. At sight under Section 21 of the Negotiable Instruments Act, 1881 means
(A) on presentation
(B) on demand
(C) on coming into vision
(D) none of the above

Ans :

(B) on demand
Explanation: Section 21 of the Negotiable Instruments Act, 1881, clarifies the meaning of certain terms. It explicitly states that in a promissory note or bill of exchange, the expressions "at sight" and "on presentation" mean "on demand." Therefore, an instrument payable "at sight" is payable immediately upon being demanded by the holder.

95. Section 5 of the Limitation Act applies to
(A) Suits
(B) Execution
(C) Election petitions
(D) None of the above

Ans :

(D) None of the above
Explanation: Section 5 of the Limitation Act, 1963, allows for the condonation of delay in filing appeals or applications if sufficient cause is shown. However, the section explicitly states that it shall not apply to applications made under any of the provisions of Order XXI of the Code of Civil Procedure, 1908, which deals with the execution of decrees. It also does not apply to suits.

96. Which of the following Companies will have to constitute Corporate Social responsibility Committee under the Companies Act, 2013
(A) A Company having a net profit of 2.5 cores in a financial year, a net worth of 300 crores and a turnover of rupees 800 crore
(B) A Company having a net profit of 3 cores, in a financial year, a net worth of 300 crores and a turnover of rupees 600 crore
(C) A Company having a net profit of 5 croes or more, a net worth of 500 crores and a turnover of rupees 1000 crore or more
(D) A Company having a net profit of 5 croes or more, a net worth of 500 crores and a turnover of rupees 5000 crore or more

Ans :

(C) A Company having a net profit of 5 croes or more, a net worth of 500 crores and a turnover of rupees 1000 crore or more
Explanation: Section 135 of the Companies Act, 2013, mandates the constitution of a Corporate Social Responsibility (CSR) Committee for any company that meets any one of the following criteria in any financial year: (i) net worth of rupees 500 crore or more, (ii) turnover of rupees 1000 crore or more, or (iii) net profit of rupees 5 crore or more.

97. A disqualified person / heir
(A) Transmits an interest to his or her own heir

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Ans :

(A) wholly immaterial
Explanation: Under Section 361 of the Indian Penal Code, which defines kidnapping from lawful guardianship, the consent of the minor is not a valid defence. The offence is committed against the lawful guardian. Therefore, even if the minor willingly goes with the accused, it is still considered kidnapping because a minor is legally incapable of giving valid consent to be taken out of their guardian's keeping.

67. Under the provisions of the Trade Unions Act, 1926, any person who has attained the age of may be a member of a registered Trade Union subject to any rules of the Trade Union to the contrary.
(A) 14 years
(B) 15 years
(C) 18 years
(D) 21 years

Ans :

(B) 15 years
Explanation: Section 21 of the Trade Unions Act, 1926, specifies the eligibility for membership of a registered Trade Union. It states that any person who has attained the age of fifteen years may be a member, subject to any rules of the Trade Union that might provide for a higher age limit.

68. Spurious goods under the provisions of the Consumer Protection Act, 1986 imply
(A) Such goods and services which are of poor quality.
(B) Such goods and services which are claimed to be genuine but they are actually not so
(C) Such goods and services which might be stolen in nature
(D) Such goods and services which are not usable in nature

Ans :

(B) Such goods and services which are claimed to be genuine but they are actually not so
Explanation: Section 2(1)(oo) of the Consumer Protection Act, 1986, defines "spurious goods and services". The definition clearly states that they are goods or services which are falsely claimed to be genuine. This refers to counterfeit or fake products that are passed off as the real thing, deceiving the consumer.

69. Who is liable to pay compensation in case of death or permanent disablement?
(A) Owner of the vehicle
(B) State Government
(C) Driver
(D) Insurance Company

Ans :

(A) Owner of the vehicle
Explanation: Under the Motor Vehicles Act, the primary liability to pay compensation in a motor accident claim lies with the owner of the vehicle involved. The owner is held vicariously liable for the negligence of the driver. While the insurance company is liable to indemnify the owner, the legal liability rests with the owner.

70. Indian Evidence Act applies to
(A) Proceedings before Tribunals
(B) Proceedings before the arbitrator
(C) Judicial proceedings in Court
(D) All of the above

Ans :

(C) Judicial proceedings in Court
Explanation: Section 1 of the Indian Evidence Act, 1872, specifies its applicability. It explicitly states that the Act applies to all judicial proceedings in or before any Court. It also clarifies that it does not apply to affidavits presented to any Court or officer, nor to proceedings before an arbitrator.

71. Fact in issue means-
(A) Fact, existence or non existence of which is admitted by the parties
(B) Fact, existence or non existence of which is disputed by the parties
(C) Fact, existence or non existence of which is not disputed by the parties
(D) All the above

Ans :

(B) Fact, existence or non existence of which is disputed by the parties
Explanation: A "fact in issue," as defined in Section 3 of the Indian Evidence Act, is any fact from which, either by itself or in connection with other facts, the existence, non-existence, nature,

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The CCA is required to maintain a publicly accessible database containing the disclosure records of all Certifying Authorities, which includes Indian authorities, foreign authorities recognized under cross-certification, and the cross-certifying authorities themselves.

62. Under Section 37 of the IT Act, 2000, the certifying authority can suspend the digital signature certificate if
(A) The subscriber is found guilty of malpractice (B) The subscriber is involved in cyber terrorism (C) The subscriber requests for the same (D) In public interest
(A) A and B
(B) B and C
(C) Cand D
(D) D and A

Ans :

(C) Cand D
Explanation: Section 37(1) of the Information Technology Act, 2000, allows a Certifying Authority to suspend a Digital Signature Certificate under two specific circumstances: either upon the request of the subscriber themselves or if the authority believes that it is in the public interest to do so. The other options are not specified grounds for suspension under this section.

63. In the cases before Cyber Appellate Tribunal, the appellant
(A) Cannot appear in person without a legal practitioner
(B) Cannot authorize a legal practitioner to appear on his behalf
(C) Cannot authorize his officer to appear on his behalf
(D) Cannot authorize his relative who is neither his officer nor a legal practitioner to appear on his behalf.

Ans :

(D) Cannot authorize his relative who is neither his officer nor a legal practitioner to appear on his behalf.
Explanation: The rules of procedure before tribunals like the Cyber Appellate Tribunal (now merged with TDSAT) generally allow a party to appear in person, or to be represented by a legal practitioner, or by an officer (in case of a company or government). However, representation by a relative who is not a legal practitioner is typically not permitted.

64. In the light of the Criminal Law Amendment Act, 2013, which of the following Statement is lare correct?
(A) The word "rape" in Section 375 of Indian Penal Code, 1860 has been replaced with sexual assault
(B) Rape is now a gender-neutral offence
(C) The amendment has fixed the age for consensual sex as 16 years
(D) All the above

Ans :

(A) The word "rape" in Section 375 of Indian Penal Code, 1860 has been replaced with sexual assault
Explanation: The Criminal Law (Amendment) Act, 2013, made significant changes. While the term "rape" is still used, the definition in Section 375 was expanded to include various forms of non-consensual sexual penetration, effectively broadening its scope to cover what is often termed 'sexual assault'. The offence remains gender-specific (perpetrator must be a man), and the age of consent was raised to 18 years.

65. The offence of stalking upon second or subsequent conviction is
(A) Non Cognizable and Bailable
(B) Cognizable and Bailable
(C) Cognizable and Non-bailable
(D) Non Cognizable and Non-bailable

Ans :

(C) Cognizable and Non-bailable
Explanation: The Criminal Law (Amendment) Act, 2013, introduced the offence of stalking (Section 354D IPC). For a first conviction, the offence is cognizable and bailable. However, the law provides for enhanced punishment for a second or subsequent conviction, and for such subsequent convictions, the offence is classified as cognizable and non-bailable.

66. In kidnapping, the consent of minor is
(A) wholly immaterial
(B) partly immaterial
(C) wholly material
(D) partly material

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civil court. They provide immediate relief but do not conclusively decide the parties' civil rights and obligations.

77. A contingent contract based on the uncertain events not specified happening within a fixed time under Section 35-
(A) remains valid even if the event does not happen within that fixed time
(B) becomes void at the expiration of the time fixed
(C) becomes void if the happening of that event becomes impossible before the expiry of time fixed.
(D) both (2) and (3)

Ans :

(D) both (2) and (3)
Explanation: Section 35 of the Indian Contract Act deals with contracts contingent on an event not happening within a specified time. Such a contract becomes enforceable when the time fixed has expired and the event has not happened, or before the time fixed if it becomes certain that such event will not happen. It becomes void if the event happens. The question seems misstated, but the options relate to voiding conditions.

78. Which among the following is authorized under the Information Technology Act, 2000 to prescribe the security procedures and practices for the purpose of Sections 14 and 15 of the Act?
(A) Central Government
(B) State Government
(C) Certifying authority
(D) Issuing authority

Ans :

(A) Central Government
Explanation: Sections 14 and 15 of the IT Act, 2000, deal with secure electronic records and secure electronic signatures. Section 16 of the Act empowers the Central Government to prescribe the security procedures and practices for the purposes of these sections, thereby setting the standards for what constitutes 'secure' in the digital realm.

79. The essential ingredient of the tort of negligence are
(1) When one owes a duty of care towards the other. (2) When one commits a breach of that duty and (3) The other person suffers damage as a consequence thereof Choose correct response for below
(A) None of them are essential ingredients
(B) Only the first is an essential ingredient
(C) All of them are essential ingredients
(D) Even if the first is absent the tort of negligence is committed

Ans :

(C) All of them are essential ingredients
Explanation: The tort of negligence is established by proving three essential elements. First, the existence of a legal duty of care owed by the defendant to the plaintiff. Second, a breach of that duty by the defendant. Third, damage or injury suffered by the plaintiff as a direct consequence of that breach. All three must be present.

80. Vicarious liability includes
(A) Liability of the principal for the tort of his agent
(B) Liability of the master for the tort of his servant
(C) Liability of the partners for each other tort
(D) all of the above

Ans :

(D) all of the above
Explanation: Vicarious liability is a legal doctrine where one person is held responsible for the torts committed by another. The classic examples include the liability of a principal for their agent's torts, a master for their servant's torts (committed during the course of employment), and partners for each other's torts committed in the ordinary course of the firm's business.

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81. Necessity rule as to admissibility of evidence is applicable when the maker of a Statement
(A) is dead or has become incapable of giving evidence
(B) is a person who can be found but his attendance cannot be procured without unreasonable delay or expenses
(C) is a person who cannot be found
(D) all of the above

Ans :

or extent of any right, liability, or disability, asserted or denied in any suit or proceeding, necessarily follows. Essentially, it is the core fact disputed by the parties.

72. In a bailable offence bail is granted as a matter of right.
(A) By the police officer
(B) By the Court
(C) Both by the police officer and the Court
(D) either (1) or (2)

Ans :

(C) Both by the police officer and the Court
Explanation: In a bailable offence, the accused has a right to be released on bail. Section 436 of the CrPC states that if a person accused of a bailable offence is arrested or appears without a warrant, they shall be released on bail. This can be done either by the police officer in charge of the police station or by the court before which the person appears.

73. A proclaimed person whose property has been attached can claim the property or the sale proceeds on appearance
(A) within 6 months of attachment
(B) within 2 years of attachment
(C) within 3 years of attachment
(D) within 1 year of attachment

Ans :

(B) within 2 years of attachment
Explanation: Section 85(3) of the CrPC deals with the restoration of attached property. If a proclaimed person appears voluntarily or is apprehended and brought before the Court within two years from the date of the attachment, and proves they did not abscond to avoid execution, their property shall be delivered back to them after deducting costs.

74. The question whether a Statement was recorded in the course investigation is a
(A) question of law
(B) question of fact
(C) mixed question of law and fact
(D) question of law or of fact depends on facts and circumstances

Ans :

(B) question of fact
Explanation: Whether a particular statement was recorded during the investigation is a matter that needs to be determined based on the evidence presented in a case, such as the case diary, the timing of the recording, and the testimony of the investigating officer. Therefore, it is considered a question of fact to be decided by the court.

75. Where the police submits a final report under Section 173 (2) of CrPC for dropping of proceedings to a Magistrate, the Magistrate
(A) may accept the same
(B) may reject the same
(C) may reject the same and order further investigation
(D) any of the above

Ans :

(D) any of the above
Explanation: When the police file a closure report, the Magistrate is not bound by it. The Magistrate has several options: 1) Accept the report and close the case. 2) Reject the report and take cognizance of the offence under Section 190(1)(b). 3) Order further investigation under Section 156(3) if they feel the investigation was inadequate.

76. The orders under Section 125 of CrPC are
(A) summary in nature but finally determine the rights and obligations of the parties
(B) summary in nature and do not finally determine the rights and obligations of the parties which are to be finally determined by a civil Court
(C) Substantive in nature and finally determine the rights and obligations of the parties.
(D) Substantive in nature and are not Subject to determination of a right of the parties by a civil Court.

Ans :

(B) summary in nature and do not finally determine the rights and obligations of the parties which are to be finally determined by a civil Court
Explanation: Proceedings under Section 125 of the CrPC are designed to provide a speedy and summary remedy to prevent vagrancy and destitution. The orders passed are subject to the final determination of rights by a competent

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87. Committal proceedings under Sec. 209 of CrPC are in the nature of
(A) aid in investigation
(B) inquiry
(C) trial
(D) either inquiry or trial

Ans :

(B) inquiry
Explanation: Committal proceedings under Section 209 of the CrPC occur when a Magistrate, after taking cognizance, finds that an offence is exclusively triable by the Court of Session. The Magistrate's role is to commit the case to the Sessions Court. This process is an "inquiry," as the Magistrate does not determine guilt or innocence but ensures the case is sent to the proper trial court.

88. Which is correct?
(A) proposal + acceptance = promise
(B) promise + consideration= agreement
(C) agreement + enforceability=contract
(D) all of the above

Ans :

(D) all of the above
Explanation: The Indian Contract Act, 1872, defines the formation of a contract in stages. A proposal when accepted becomes a promise (Section 2(b)). A set of promises forming the consideration for each other is an agreement (Section 2(e)). An agreement enforceable by law is a contract (Section 2(h)). All the equations correctly represent these stages.

89. Communication of acceptance is complete as against the proposer
(A) when it comes to the knowledge of the proposer
(B) when it is put in course of transmission to him so as to be out of power of the acceptor
(C) when the acceptance is communicated to the proposer
(D) all of the above

Ans :

(B) when it is put in course of transmission to him so as to be out of power of the acceptor
Explanation: Section 4 of the Indian Contract Act specifies that the communication of an acceptance is complete as against the proposer when it is put in a course of transmission to him, so as to be out of the power of the acceptor. For example, when a letter of acceptance is posted, the proposer is bound.

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90. In cases of general offer, for a valid contract
(A) the acceptor need not have the knowledge of the offer
(B) the acceptor must have the knowledge of the offer before acceptance by performance
(C) the acceptor may acquire the knowledge of the offer after the performance of the condition for acceptance
(D) knowledge does not matter so long as the condition is performed with or without knowledge

Ans :

(B) the acceptor must have the knowledge of the offer before acceptance by performance
Explanation: For a valid acceptance of any offer, including a general offer, the offeree must have knowledge of the offer. As established in cases like Lalman Shukla v. Gauri Datt, performing the conditions of an offer in ignorance of its existence does not amount to acceptance and does not create a binding contract.

91. Under the provision of the Transfer of Property Act, 1882, the unborn person acquires vested interest on transfer for his benefit
(A) upon his birth
(B) 7 days after his birth
(C) 12 days after his birth
(D) no such provision is made

Ans :

(A) upon his birth
Explanation: Section 20 of the Transfer of Property Act, 1882, deals with transfers to an unborn person. It states that where a transfer creates an interest for an unborn person, that person acquires a vested interest upon their birth, unless a contrary intention appears from the terms of the transfer.

92. Every transfer of immovable property made with intent to defeat or delay the creditors of the transferor shall be voidable
(A) at the option of creditor so defeated or delayed
(B) at the option of debtor

ALL INDIA BAR EXAMINATION VIII

1. P and Q agree to commit theft in R's house, but no theft is actually committed. Here P and Q are guilty of-
(A) Abetment of conspiracy
(B) Abetment by instigation
(C) No offence
(D) Criminal conspiracy

Ans :

(D) Criminal conspiracy
Explanation: Under Section 120A of the Indian Penal Code, the offence of criminal conspiracy is committed when two or more persons agree to do an illegal act. The agreement itself constitutes the offence. Since P and Q agreed to commit theft, they are guilty of criminal conspiracy, even if the theft was never actually carried out.

2. Who authored the book The First Principles of Jurisprudence?
(A) Salmond
(B) Black Stone
(C) Austin
(D) Winfield

Ans :

(A) Salmond
Explanation: The book "The First Principles of Jurisprudence" was authored by Sir John William Salmond, a renowned legal scholar and judge from New Zealand. His works on jurisprudence and torts are considered foundational texts in legal education. This book provides a systematic analysis of the fundamental principles and concepts of law.

3. Point out an example not related to a contract of bailment.
(A) Delivering a watch or radio for repair
(B) Leaving a car or scooter at a parking stand
(C) Leaving luggage in a cloak room
(D) A shareholder executes an agreement/ bond favoring the company thereby agreeing to satisfy the company for any loss caused as a consequence of his own act.

Ans :

(D) A shareholder executes an agreement/ bond favoring the company thereby agreeing to satisfy the company for any loss caused as a consequence of his own act.
Explanation: A contract of bailment involves the delivery of goods by one person to another for some purpose, upon a contract that they shall be returned or disposed of according to the directions of the person delivering them. Options A, B, and C are classic examples of bailment. Option D describes a contract of indemnity, not bailment.

4. Which Section under the Transfer of Property Act, 1882 discuss about the rights and liabilities of buyer and the seller of immovable property?
(A) 45
(B) 54
(C) 55
(D) 44

Ans :

(C) 55
Explanation: Section 55 of the Transfer of Property Act, 1882, comprehensively details the rights and liabilities of both the buyer and the seller in a transaction involving immovable property. It covers pre-sale and post-sale duties, such as disclosure of defects by the seller and payment of the purchase price by the buyer.

5. A issued a warrant to a police officer to arrest P. But the officer arrests Q after the due inquiry believing Q to be P. Here
(A) P is liable for criminal negligence
(B) P has committed no offence by virtue of Section. 76 IPC
(C) P has committed an offence of wrongful confinement
(D) None of these

Ans :

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(B) Transmits no interest to his or her own heir
(C) May or may not transmit an interest to his or her own heir as per the discretion of the Court
(D) May only transmit an interest to his or her own heir with the consent of the other heirs.

Ans :

(B) Transmits no interest to his or her own heir
Explanation: Under Hindu succession law, if an heir is disqualified from inheriting property (for reasons like murder of the intestate), they are treated as if they had died before the intestate. Consequently, the disqualified person acquires no interest in the property, and therefore, they cannot transmit any interest to their own heirs.

98. In cases in which a specific act confers a discretionary power on an authority
(A) The Court can direct the manner in which the power is exercised
(B) The Court can direct that the power be exercised in accordance with law
(C) Both (1) and (2)
(D) Neither (1) nor (2)

Ans :

(B) The Court can direct that the power be exercised in accordance with law
Explanation: While courts generally do not interfere with the exercise of discretionary power by an authority, they can intervene if the power is used arbitrarily, unreasonably, or contrary to law. The court will not substitute its own discretion for that of the authority but will ensure that the discretion is exercised within the legal boundaries established by the statute.

99. The Bar Council of India Rule which stipulated that persons aged 45 years and above could not be enrolled as advocates was struck down by the Supreme Court in
(A) In E. S. Reddi vs. Bar Council of India
(B) Indian Council of Legal Aid and Advise vs. Bar Council of India
(C) P. Shanmugam vs. Bar Council of India
(D) Legal Committee vs. Bar Council of India.

Ans :

(B) Indian Council of Legal Aid and Advise vs. Bar Council of India
Explanation: In the case of Indian Council of Legal Aid & Advice v. Bar Council of India, the Supreme Court struck down the rule framed by the Bar Council of India that barred individuals who had completed 45 years of age from being enrolled as advocates. The court held that this rule was discriminatory, unreasonable, and beyond the rule-making power of the BCI.

100. Which is an incorrect Statement?
(A) An Arbitral award is a contract.
(B) An Arbitral award must be in writing and signed
(C) An Arbitral award included an interim award.
(D) None of the above

Ans :

(A) An Arbitral award is a contract.
Explanation: An arbitral award is a decision made by an arbitral tribunal, which is binding on the parties and is enforceable like a court decree. It is not a contract, which is an agreement between parties. Sections 31 and 2(c) of the Arbitration and Conciliation Act, 1996, state that an award must be in writing and signed, and that "award" includes an interim award.

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(D) all of the above
Explanation: The "necessity rule" is a principle underlying the exceptions to the hearsay rule, particularly Section 32 of the Indian Evidence Act. It allows the admission of statements made by persons who cannot be called as witnesses. This includes situations where the person is dead, cannot be found, has become incapable of giving evidence, or whose attendance is impractical due to unreasonable delay or expense.

82. Secondary evidence of a document means
(A) Copies of the document
(B) oral account of the contents of the documents
(C) Both (1) and (2)
(D) none of the above

Ans :

(C) Both (1) and (2)
Explanation: Section 63 of the Indian Evidence Act defines secondary evidence. This category includes certified copies, copies made from the original by mechanical processes, copies made from or compared with the original, counterparts of documents, and oral accounts of the contents of a document given by someone who has seen the original document.

83. A Will is required to be proved by calling at least one attesting witness
(A) when it is registered
(B) when it is unregistered
(C) when it is admitted
(D) All of the above

Ans :

(D) All of the above
Explanation: Section 68 of the Indian Evidence Act mandates that if a document is required by law to be attested (like a will), it cannot be used as evidence until at least one attesting witness has been called to prove its execution. This requirement applies to all wills, whether they are registered or unregistered, unless its execution is admitted by the opposing party.

84. Any person in Section 106 of Evidence Act refers to
(A) a party to the suit
(B) a stranger to the suit
(C) a person who is not a party to the suit but interested in the outcome of the suit
(D) all of the above

Ans :

(A) a party to the suit
Explanation: Section 106 of the Evidence Act states that the burden of proving a fact especially within the knowledge of any person is upon that person. In the context of a legal proceeding, "any person" primarily refers to a party to the suit (like the accused in a criminal case) who has special knowledge of a particular fact relevant to the case.

85. In a cognizable case under IPC, police have the
(A) Authority to arrest a person without warrant
(B) Authority to investigate the offence without permission of the Magistrate
(C) Both (1) or (2)
(D) Either (1) or (2)

Ans :

(C) Both (1) or (2)
Explanation: A cognizable offence is defined in the CrPC as an offence for which a police officer may arrest without a warrant. Furthermore, under Section 156 of the CrPC, a police officer has the authority to investigate any cognizable case without needing an order or permission from a Magistrate. Both powers are hallmarks of a cognizable offence.

86. During investigation a search can be conducted without warrant by
(A) any Police Officer
(B) by the investigating officer
(C) Both (1) and (2)
(D) either (1) or (2)

Ans :

(B) by the investigating officer
Explanation: Section 165 of the CrPC empowers an officer in charge of a police station or an investigating officer to conduct a search without a warrant during an investigation. This power can be exercised if the officer has reasonable grounds to believe that something necessary for the investigation can be found in a place and that obtaining a warrant would cause undue delay.

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(B) P has committed no offence by virtue of Section. 76 IPC
Explanation: Section 76 of the Indian Penal Code provides a defense for a person who, by reason of a mistake of fact and not a mistake of law, in good faith believes themselves to be bound by law to do an act. Here, the police officer, after due inquiry, genuinely believed Q was P and was acting under the legal authority of the warrant.

6. Which is true of contracts of agency?
(A) The relation between the agent and the principal is of a trust
(B) It is only when a person acts as a representative of the other in the creation, modification or termination of contractual obligations; between that order and third persons that he is an agent.
(C) The only essence of a contract of agency is the agent's representative capacity.
(D) None of the above

Ans :

(B) It is only when a person acts as a representative of the other in the creation, modification or termination of contractual obligations; between that order and third persons that he is an agent.
Explanation: The core of an agency relationship is the agent's authority to act on behalf of the principal to create, modify, or terminate legal relations with a third party. While trust and representative capacity are elements, the most accurate and comprehensive definition is the one that focuses on this power to alter the principal's legal position with others.

7. Identify the wrong statement from the following,
(A) An indemnity is for reimbursement of a y loss, while a guarantee is for security of the creditor
(B) In a contract of indemnity, the liability of the indemnifier is secondary and arises when the contingent event occurs. In case of contract of guarantee, the liability of surety is primary and arises when the principal debtor defaults.
(C) The indemnifier after performing his part of the promise has no rights against to the third party and he can sue the third party only if there is an assignment in his favor. Whereas in a contract of guarantee, the surety steps into the shoes of the creditor on discharge of his (liability, and may sue the principal debtor,
(D) In a contract of indemnity, the liability of the indemnifier is primary and arises when the contingent event occurs. In case of contract of guarantee the liability of surety is secondary and arises when the principal debtor defaults.

Ans :

(B) In a contract of indemnity, the liability of the indemnifier is secondary and arises when the contingent event occurs. In case of contract of guarantee, the liability of surety is primary and arises when the principal debtor defaults.
Explanation: This statement incorrectly describes the nature of liability. In a contract of indemnity, the indemnifier's liability is primary and direct to the indemnity-holder. In a contract of guarantee, the principal debtor has the primary liability, and the surety's liability is secondary, arising only upon the default of the principal debtor.

8. A corporate resolution is not an offer unless efforts are made to communicate it. Which case held so?
(A) Blair vs. Western Mutual Benefit Association
(B) R. vs. Dawood
(C) Harvela Investments Ltd. vs. Royal Trust Co. of Canada
(D) None of the above.

Ans :

(A) Blair vs. Western Mutual Benefit Association
Explanation: The case of Blair v. Western Mutual Benefit Association is a key authority on the principle that an offer must be communicated to the offeree to be effective. The court held that a mere resolution passed by a company's board, which was not communicated to the intended person, did not constitute a formal offer and could not be accepted.

9. Durham doctrine-means doctrine-means no genos -

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17. It was held by the Supreme Court that noise pollution beyond permissible limits cannot be tolerated, even if such noise was a direct result of and was connected with religious activities in the case of-1
(A) Vellore Citizens Welfare Forum vs. Union of India2
(B) Church of God (Full Gospel) in India vs. KKR Majestic Colony Welfare Association3
(C) Rural Enlightenment Ken4dra vs. Union of India
(D) Narmada Bachao Andolan vs. Union of India

Ans :

(B) Church of God (Full Gospel) in India vs. KKR Majestic Colony Welfare Association
Explanation: In this case, the Supreme Court held that no religion prescribes that prayers should be performed by disturbing the peace of others, nor does it preach that they should be through voice amplifiers or beating of drums. The Court affirmed that the right to profess and practice religion under Article 25 does not grant the right to cause noise pollution.

18. The Water (Prevention and Control of Pollution) Act, 1974 bad regulates-
(A) The discharge of hazardous pollutants into the nation's surface water.
(B) The emission of hazardous air pollutants.
(C) Waste disposal of sea.
(D) The transportation of hazardous materials.

Ans :

(A) The discharge of hazardous pollutants into the nation's surface water.
Explanation: The primary objective of the Water (Prevention and Control of Pollution) Act, 1974, is to prevent and control water pollution and to maintain or restore the wholesomeness of water. It achieves this by regulating the discharge of pollutants into water bodies like rivers, streams, and wells, which are categories of surface and ground water.

19. A is in possession of property claimed by B and C adversely. A does o not claim any interest in the property is ready to deliver it to the rightful owner. A can institute.
(A) Friendly suit
(B) Caveat
(C) Interpleader
(D) Restitution.

Ans :

(C) Interpleader
Explanation: This scenario is a classic example for an interpleader suit, governed by Section 88 and Order XXXV of the Civil Procedure Code. An interpleader suit is filed by a person who holds property or money but has no claim to it and is facing conflicting claims from two or more other persons, seeking the court's direction on whom to deliver it to.

20. What is the period of limitation prescribed for the suit instituted by a mortgagor to recover possession of immoveable property mortgaged?
(A) 3 years
(B) 10 years
(C) 30 years
(D) 12 years

Ans :

(C) 30 years
Explanation: Article 61(a) of the Schedule to the Limitation Act, 1963, prescribes the limitation period for a suit by a mortgagor to redeem or recover possession of immovable property mortgaged. The period is thirty years, and it begins to run when the right to redeem or to recover possession accrues.

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21. Sections 12-15 of the Limitation Act, 1963 provide for exclusion of time ins/computing the period of limitation prescribed by law. Which One of the following falls inside the ambit of exclusion?
(A) Day on which judgment/order/award is pronounced
(B) Time during which stay/injunction
(C) Time during which the defendant had been out of India.
(D) All the above

Ans :

(D) All the above
Explanation: The Limitation Act allows for the exclusion of certain periods when computing the limitation period. Section 12 excludes the day of judgment, Section 14 excludes time spent in proceedings without jurisdiction, and Section 15 excludes time during which proceedings

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dangerous activity and harm results to anyone on account of an accident in the operation of such hazardous or inherently dangerous activity resulting, for example, in escape of toxic gas the enterprise is strictly and absolutely liable to compensate all those who are affected by the accident and such liability is not subject to any of the exceptions which operate vis-a-vis the tortious principle of strict liability. In such a case, the measure of compensation must be correlated to the magnitude and capacity of the enterprise because such compensation must have a deterrent effect. The larger and more prosperous the enterprise, the greater must be the amount of compensation payable by it for the harm caused on account of an accident in the carrying on of the hazardous or inherently dangerous activity by the enterprise. Name the case.

(A) Subhash Kumar vs. State of Bihar 1991
(B) Rural Litigation and Entitlement Kendra vs. State of U.P., 1985
(C) M.C. Mehta vs. Union of India, 1986
(D) Union Carbide vs. Union of India, 1984

Ans :

(C) M.C. Mehta vs. Union of India, 1986
Explanation: This passage describes the principle of "absolute liability," which was established by the Supreme Court in the landmark case of M.C. Mehta v. Union of India (1987), also known as the Oleum Gas Leak case. The court created this stricter principle for hazardous industries, removing the exceptions available under the rule of strict liability.

15. Selvi's daughter Kavita had married Shivakumar of a different caste against the wishes of her family. Shivakumar was brutally killed in 2004, and Selvi and two others became the suspects. Since the prosecution's case depended entirely on circumstantial evidence, it sought the Court's permission to conduct polygraphy and brain-mapping tests on the three persons. The Court granted permission and the tests were conducted. When the results of the polygraphy test indicated signs of deception, the prosecution sought the Court's permission to perform narcoanalysis on the three persons. The Magistrate directed the three to undergo narcoanalysis. All of them challenged this decision in the Karnataka High Court, but failed to get relief. They then went in appeal to the Supreme Court. The Court held

(A) Compulsory brain-mapping and polygraph tests and narcoanalysis were in violation of Articles 20(3) and 21 of the Constitution.
(B) Compulsory brain-mapping and polygraph tests and narcoanalysis were valid under Articles 20(3) and 21 of the Constitution.
(C) Compulsory brain-mapping and polygraph tests and narcoanalysis were in violation of Articles 20(1) and 21 of the Constitution.
(D) Compulsory brain-mapping and polygraph tests and narcoanalysis were in violation of Articles 14 and 21 of the Constitution

Ans :

(A) Compulsory brain-mapping and polygraph tests and narcoanalysis were in violation of Articles 20(3) and 21 of the Constitution.
Explanation: In the landmark case of Selvi & Ors. vs. State of Karnataka (2010), the Supreme Court ruled on the legality of involuntary scientific tests. The Court held that forcing an individual to undergo narcoanalysis, polygraph tests, or brain-mapping violates their right against self-incrimination under Article 20(3) and their right to life and personal liberty under Article 21 of the Constitution.

16. Article 48-A and Article 51-A (g) were inserted in the Constitution by

(A) The Constitution (42nd Amendment) Act, 1978
(B) The Constitution (42nd Amendment) Act, 1976
(C) The Constitution (43rd Amendment) Act, 1978
(D) The Constitution (44th Amendment) Act, 1978

Ans :

(B) The Constitution (42nd Amendment) Act, 1976
Explanation: The 42nd Amendment Act, 1976, introduced significant changes related to environmental protection. It added Article 48-A to the Directive Principles, directing the State to protect and improve the environment, and Article 51-A(g) to the Fundamental Duties, making it a duty of every citizen to protect and improve the natural environment.

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27. Chapter dealing with "Plea Bargaining" has been inserted by-
(A) The Criminal Law (Amendment) Act, 1993
(B) The Criminal Law (Amendment) Act, 2005
(C) The Code of Criminal Procedure (Amendment) Act, 2001
(D) The Code of Criminal (Amendment) Act, 1993.

Ans :

(B) The Criminal Law (Amendment) Act, 2005
Explanation: The concept of Plea Bargaining was introduced into the Indian criminal justice system through the Criminal Law (Amendment) Act, 2005. This amendment inserted a new Chapter XXIA, titled "Plea Bargaining," into the Code of Criminal Procedure, 1973. It provides a mechanism for pre-trial negotiations between the accused and the prosecution.

28. Section 41-B is incorporated into the Criminal Procedure Code on the basis of which of the following decisions
(A) Nandini Satpati vs. P.L. Dani
(B) Sunil Batra vs. Delhi Administration
(C) Prem Shankar Shukla Administration VS. Delhi
(D) D.K. Basu vs. State of West Bengal

Ans :

(D) D.K. Basu vs. State of West Bengal
Explanation: The guidelines laid down by the Supreme Court in the landmark case of D.K. Basu v. State of West Bengal were instrumental in safeguarding the rights of arrested persons. To give statutory backing to these guidelines, the Code of Criminal Procedure was amended, and provisions like Section 41B (Procedure of arrest and duties of officer making arrest) were incorporated.

29. Any immovable property possessed by a by a female Hindu, acquired before or after the commencement of Hindu Succession Act, shall be held by her after the commencement of the Act as-
(A) A limited owner
(B) A full owner
(C) No ownership
(D) Not as absolute owner.

Ans :

(B) A full owner
Explanation: Section 14 of the Hindu Succession Act, 1956, was a revolutionary provision that abolished the concept of a woman's limited estate. It states that any property possessed by a female Hindu, whether acquired before or after the Act's commencement, shall be held by her as a full owner (absolute owner) and not as a limited owner.

30. Period of limitation for execution of the order of maintenance is from the date on which it becomes due.
(A) 1 year
(B) 5 years
(C) 6 years
(D) 15 years

Ans :

(A) 1 year
Explanation: According to the proviso to Section 125(3) of the Code of Criminal Procedure, an application for the enforcement of a maintenance order must be made within a period of one year from the date on which the amount becomes due. The court cannot issue a warrant for any amount that remains unpaid beyond this one-year period.

31. If by imposing solitary confinement there is total deprivation of comraderie (friendship) 'amongst co-prisoners coming and taking and being talked to, it would offend Article 21 of the Constitution. The liberty to move, mix, mingle, talk, Share Company with co-prisoners if substantially curtailed would be violative of Article 21- This was held in the case of
(A) Sunil Batra vs. Delhi Administration, AIR 1978 SC 1675
(B) Kishore Singh vs State of Rajasthan, AIR 1981 SC 625
(C) D.K. Basu vs State of West Bengal, AIR 1997 SC 610
(D) Parmanand Katara vs Union of India, AIR 1989 SC 2039

Ans :

(A) Sunil Batra vs. Delhi Administration, AIR 1978 SC 1675
Explanation: In the landmark case of Sunil Batra v. Delhi Administration, the Supreme Court held

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were stayed by an injunction or order. All listed options represent valid grounds for exclusion.

22. According to Environmental (Protection) Act of 1986 "environmental pollutant" means-
(A) any solid, liquid or gaseous substance 'present in such concentration as may be, or tend to be, injurious to environments
(B) any substance present in such concentration as may be, or tend to be, injurious to environment
(C) any solid, liquid or gaseous substance present in such concentration as may be, or tend to be, injurious to a person
(D) any solid, liquid or gaseous substance present in such concentration as may be, or tend to be, injurious to the society

Ans :

(A) any solid, liquid or gaseous substance 'present in such concentration as may be, or tend to be, injurious to environments
Explanation: Section 2(b) of the Environment (Protection) Act, 1986, defines an "environmental pollutant". The definition specifically includes any solid, liquid, or gaseous substance present in a concentration that may be, or tends to be, injurious to the environment. The key element is the potential harm to the environment itself.

23. What is Corporate Social Responsibility among the following?
(A) Employee benefits
(B) Project based protection of national heritage
(C) Programs undertaken outside India
(D) Mere donations

Ans :

(B) Project based protection of national heritage
Explanation: Corporate Social Responsibility (CSR) under the Companies Act, 2013, requires companies to undertake activities listed in Schedule VII. This schedule includes project-based activities like protecting national heritage, art, and culture. While employee benefits are a corporate responsibility, they are generally not classified under the specific CSR spending mandate.

24. Talak-e-tafwiz is
(A) Talak by delegation
(B) Triple Talak
(C) Talak by agreement
(D) Improper Talak

Ans :

(A) Talak by delegation
Explanation: In Muslim law, Talaq-e-Tafweez refers to a delegated divorce. It is an agreement made either before or after the marriage, where the husband delegates his power of divorce to his wife or a third person. The wife can then exercise this delegated power to pronounce divorce upon herself under the conditions specified in the agreement.

25. Provisions regarding Corporate Social Responsibility are incorporated in the Companies Act, 2013 under
(A) Section 101
(B) Section 111
(C) Section 135
(D) Section 235

Ans :

(C) Section 135
Explanation: The concept of mandatory Corporate Social Responsibility (CSR) was introduced in Indian corporate law through Section 135 of the Companies Act, 2013. This section, along with the Companies (CSR Policy) Rules, 2014, mandates that companies meeting certain financial thresholds must spend a portion of their profits on specified CSR activities.

26. Who was the founder of Analytical School of Law?
(A) Ihering
(B) Bentham
(C) John Austin
(D) August Comte

Ans :

(C) John Austin
Explanation: John Austin is widely regarded as the founder of the Analytical School of jurisprudence. This school of thought focuses on law as it is ("positus"), analyzing its structure, concepts, and sources as laid down by a sovereign. Austin's theory of "law as a command of the sovereign" is a central tenet of this school.

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(C) 87
(D) 73

Ans :

(D) 73
Explanation: The landmark English case of Hadley v. Baxendale laid down the rules for determining the quantum of damages for breach of contract. These principles, concerning direct and consequential losses that were reasonably foreseeable at the time of the contract, are codified in Section 73 of the Indian Contract Act, 1872.

38. Section 6 of the Specific Relief Act, 1963 states thus: If any person is dispossessed without his consent of immovable property otherwise than in due course of law, he or any person claiming through him may, by, recover possession thereof; notwithstanding any other title that may be set up in such suit.
(A) Application
(B) Restitution application
(C) Suit
(D) Reference

Ans :

(C) Suit
Explanation: Section 6 of the Specific Relief Act, 1963, provides a summary remedy for wrongful dispossession from immovable property. The section explicitly states that the person dispossessed may recover possession by filing a "suit." This is a specific type of suit for possession and is distinct from an application or reference.

39. Equality is a dynamic concept with many aspects and dimensions and it cannot be "cribbed, cabined and confined" within traditional and doctrinaire limits. From a positivistic point of view, equality is antithetic to arbitrariness. In fact, equality and arbitrariness are sworn enemies- this was stated in the case of-
(A) Jespar & Slong vs. State of Meghalaya, AIR 2004 SC 3533
(B) Vajravelu Mudiliar vs. Special Dty Collector, AIR 1965 SC 1017
(C) E. P. Royappa vs. State of T.N., AIR 1974 SC 555
(D) In Punjab Communication Ltd. vs. Union of India. 1999 (4) SCC 727

Ans :

(C) E. P. Royappa vs. State of T.N., AIR 1974 SC 555
Explanation: In the landmark case of E.P. Royappa v. State of Tamil Nadu, the Supreme Court introduced a new dimension to Article 14 of the Constitution. Justice Bhagwati famously observed that equality is antithetical to arbitrariness and that any action that is arbitrary is inherently unequal, thus violating Article 14.

40. In State of Karnataka vs. Union of India, AIR 1978 SC 68, Appointment of a commission by the Union government under Section 3 (1) of the Commission of Inquiry Act (60 of 1952) to look into the charges of corruption etc. against the Chief Minister and other Ministers of a State was challenged. It was held -
(A) Arbitrary under Article 14
(B) Violates federal principle
(C) Jurisdiction of the Court is ousted and hence violates the Basic Structure of the Constitution
(D) Federal Structure is not jeopardized

Ans :

(D) Federal Structure is not jeopardized
Explanation: In this case, the Supreme Court upheld the power of the Central Government to appoint a commission of inquiry against a state's Chief Minister. The court held that such an action does not encroach upon the state's executive power or violate the federal structure of the Constitution. It affirmed that federalism does not mean complete autonomy for states.

41. Testimony of a witness to the existence or non-existence of the fact or facts in issue is/are-
(A) Oral evidence
(B) Original evidence
(C) Direct evidence
(D) Both (1) and (2)

Ans :

(C) Direct evidence
Explanation: Direct evidence is evidence that directly proves a fact in issue, without requiring any inference or presumption. The testimony of an eyewitness who saw an event occur is the classic example of direct evidence. It goes straight to the heart of the matter being disputed in the case.

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that solitary confinement, if imposed arbitrarily and without due process, is a violation of the right to life and personal liberty under Article 21. The court emphasized that even prisoners retain fundamental rights, including the right to social interaction with fellow inmates.

32. of the Companies Act, 2013 requires disclosure in the prospectus of names and addresses of CFO about sources of promoters' contribution among other things,
(A) Section 36
(B) Section 37
(C) Section 26
(D) Section 38

Ans :

(C) Section 26
Explanation: Section 26 of the Companies Act, 2013, lists the matters that must be stated and the reports that must be set out in a prospectus. It mandates detailed disclosures to protect investors, including information about the company's financials, promoters, directors, and the objects of the public offer, ensuring transparency for potential investors.

33. As per the Criminal Procedure Code, during investigation a search can be conducted without warrant by
(A) Judicial officer
(B) Any Person
(C) The investigating officer
(D) Any police officer

Ans :

(C) The investigating officer
Explanation: Section 165 of the Code of Criminal Procedure empowers an investigating officer (or an officer in charge of a police station) to conduct a search without a warrant. This can be done if the officer has reasonable grounds to believe that something necessary for the investigation is within a place and that obtaining a warrant would cause undue delay.

34. Prosecution for the offence of defamation can be initiated only
(A) On the complaint of the aggrieved party
(B) On the basis of an F.I.R
(C) On the basis of a police report
(D) If it is a matter related to domestic affairs of a family

Ans :

(A) On the complaint of the aggrieved party
Explanation: Under Section 199 of the Code of Criminal Procedure, a court cannot take cognizance of the offence of defamation (under IPC) except upon a complaint made by the person who has been aggrieved by the offence. This makes defamation a non-cognizable offence that requires a private complaint to initiate proceedings.

35. The presumption of continuance of life is contained in Section of the Evidence Act
(A) 107
(B) 108
(C) 207
(D) 115

Ans :

(A) 107
Explanation: Section 107 of the Indian Evidence Act, 1872, deals with the presumption of continuance of life. It states that if a person is shown to be alive within thirty years, the burden of proving that they are dead is on the person who affirms it. The law presumes the person to be alive during this period.

36. Section 253 of the Companies Act, 2013 deals with
(A) Determination of Sickness
(B) Liability of Directors
(C) Promoters
(D) Memorandum

Ans :

(A) Determination of Sickness
Explanation: Section 253 of the Companies Act, 2013, is part of the chapter on Revival and Rehabilitation of Sick Companies. This section specifically lays down the procedure for the determination of sickness of a company by the Tribunal (NCLT) based on an application made by a secured creditor or the company itself.

37. Principles evolved in Hadley vs. Baxendale are the basis of Section..... of the Indian Contract Act.
(A) 74
(B) 55

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(B) Where the contract is unlawful for causes not apparent on its face and the defendant is more to blame than the plaintiff.
(C) Both (1) and (2).
(D) None of the above.

Ans :

(C) Both (1) and (2).
Explanation: Section 27 of the Specific Relief Act, 1963, provides the grounds for rescission of a contract. A person can sue for rescission if the contract is voidable or terminable by them. Additionally, rescission can be sought if the contract is unlawful for reasons not obvious on its face, and the defendant bears more blame than the plaintiff.

48. Which provision of the Negotiable Instruments Act discusses about material alteration of an instrument and its effects?
(A) Section 77
(B) Section 88
(C) Section 87
(D) Section 78

Ans :

(C) Section 87
Explanation: Section 87 of the Negotiable Instruments Act, 1881, deals with the effect of material alteration. It states that any material alteration of a negotiable instrument renders the same void as against anyone who is a party thereto at the time of making such alteration and does not consent thereto, unless it was made to carry out the common intention.

49. A transfer Rs.500 to his niece C, if she will desert her husband. The transfer is-
(A) Void
(B) Voidable
(C) Valid
(D) None of the above

Ans :

(A) Void
Explanation: According to Section 25 of the Transfer of Property Act, 1882, any transfer of property that is contingent upon a condition which is impossible, unlawful, or opposed to public policy is void. A condition that requires a person to desert their spouse is considered immoral and against public policy, thus making the transfer void.

50. Amendments made in the year..... through the insertion of Section Procedure to the Civil Code introduced provisions to enable the Courts to refer pending cases to arbitration, conciliation and mediation to facilitate early and amicable resolution of disputes.
(A) 1989, 98
(B) 1990, 88
(C) 1999, 89
(D) 2001,88

Ans :

(C) 1999, 89
Explanation: Section 89 was inserted into the Code of Civil Procedure by the CPC (Amendment) Act of 1999, which came into force in 2002. This section was introduced to promote Alternative Dispute Resolution (ADR) mechanisms. It empowers courts to refer disputes to arbitration, conciliation, mediation, or judicial settlement through Lok Adalat where elements of a settlement exist.

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51. Under Section 122 of the Evidence Act, a communication made to, the spouse during marriage-
(A) Remains privileged after the dissolution of marriage by divorce but not so on after death
(B) Does not remain privileged after the dissolution of marriage by divorce, but remains privileged even after death
(C) Does not remain privileged after dissolution of marriage by divorce or death
(D) Remains privileged communication after the dissolution of marriage by divorce or death.

Ans :

(D) Remains privileged communication after the dissolution of marriage by divorce or death.
Explanation: Section 122 of the Indian Evidence Act protects communications between spouses during marriage. This privilege continues even after the marriage has been dissolved by divorce or death. The spouse cannot be compelled to disclose any communication made

42. There was a contract to supply oil- seeds. But the Government rendered the sale and purchase of oil-seed illegal under the Defence of India Rules. Identify the effect.
(A) Party at default is held liable
(B) Both parties are discharged from the performance of such contract
(C) Both parties are directed specific performance of the contract
(D) None of the above

Ans :

(B) Both parties are discharged from the performance of such contract
Explanation: This is an example of the doctrine of frustration or supervening impossibility under Section 56 of the Indian Contract Act. When the performance of a contract becomes unlawful due to a subsequent change in the law, the contract becomes void. Consequently, both parties are discharged from their obligations to perform.

43. A transfers property to B for life, and after his death to C and D, equally to be divided between them, or to the survivor of them. C dies during the lifetime of B. D survives B. At B's death
(A) The property passes to D
(B) The property reverts back to A's heirs
(C) The property is declared as having no owner
(D) None of the above

Ans :

(A) The property passes to D
Explanation: This is an instance of a contingent interest under the Transfer of Property Act. The interest for C and D was contingent upon them surviving B. Since C died before B, his interest did not vest. D, being the survivor at the time of B's death, fulfills the contingency, and the entire property passes to him.

44. The Companies Act, 2013 allows the formation of-
(A) Two persons company only
(B) Seven persons company only
(C) Two or more persons company only
(D) One person company also.

Ans :

(D) One person company also.
Explanation: A significant innovation of the Companies Act, 2013, was the introduction of the concept of a One Person Company (OPC). Section 2(62) defines an OPC as a company which has only one person as a member. This allows a single promoter to enjoy the benefits of a corporate structure with limited liability.

45. Mare Liberum (The Freedom of the Seas), first published in 1609, is a book in Latin on international law written by-
(A) Austin
(B) Hugo Grotiu's
(C) Arvid Pardo
(D) Starke

Ans :

(B) Hugo Grotiu's
Explanation: "Mare Liberum" is a seminal work in the history of international law, written by the Dutch jurist Hugo Grotius. In this book, he formulated the new principle that the sea was international territory and all nations were free to use it for seafaring trade, challenging the claims of various nations to sovereignty over the seas.

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46. A/An.... is one which is drawn by one person and accepted by another, without consideration, merely to enable the drawer to raise money on the bill by discounting it.
(A) Bills in sets
(B) Documentary bill
(C) Bearer instrument
(D) Accommodation bill

Ans :

(D) Accommodation bill
Explanation: An accommodation bill is a bill of exchange that is drawn, accepted, or endorsed by a person without any consideration, solely for the purpose of helping another party (the accommodated party) to raise funds by discounting it with a bank. The person lending their name is the "accommodating party."

47. As per the Specific Relief Act, 1963 identify the situation wherein any person son interested 'in a contract may sue to have it rescinded, and such rescission may be adjudged by the court.
(A) Where the contract is voidable or terminable by the plaintiff.

(A) That an accused is not criminally liable if his unlawful act is the product of immature understanding due to immature age
(B) That an accused is not criminally liable if his unlawful act is the product of mental disease or mental defect
(C) That an accused is criminally liable if his unlawful act even if it is the product of mental disease or mental defect
(D) None of these

Ans :

(B) That an accused is not criminally liable if his unlawful act is the product of mental disease or mental defect
Explanation: The Durham rule, originating from a U.S. court case, is a rule for criminal responsibility related to the insanity defense. It states that an accused is not criminally responsible if their unlawful act was the "product of mental disease or mental defect." This rule is broader than the M'Naghten rule used in India.

10. The doctrine of civil conspiracy was enunciated by the House of Lords in
(A) Walsby vs. Anley
(B) Allen vs. Flood
(C) Moghul Steamship Company vs. Mc. Gregor Gow and Company
(D) Quinn vs. Leathem

Ans :

(D) Quinn vs. Leathem
Explanation: The case of Quinn v. Leathem is a landmark decision by the House of Lords that is central to the tort of conspiracy. It established that a combination of persons acting together to intentionally cause damage to another's trade or business, without lawful justification, could be held liable for civil conspiracy, even if their individual actions were not unlawful.

11. Ramu is suffering from disease of Dirathe heart. heart. Rahul his heir rushes into his room and shouts in his ear "your house has been destroyed by fire" intending thereby to kill Ramu. Ramu dies of the shock. Here Rahul is liable for the offence of-
(A) Attempt to murder
(B) Murder
(C) Culpable homicide
(D) Abetment to murder

Ans :

(B) Murder
Explanation: Rahul's act falls under the definition of murder in Section 300 of the IPC. He had the intention of causing such bodily injury as he knew was likely to cause the death of Ramu, who was suffering from a heart condition. The act of shouting was the direct cause of the shock that led to death, satisfying the ingredients for murder.

12. De minimus non curat lex implies
(A) Every person is liable for his own acts
(B) Trifling acts do not constitute an offence
(C) Necessity knows no Jaw
(D) Nothing is an offence which is done in private defense

Ans :

(B) Trifling acts do not constitute an offence
Explanation: "De minimis non curat lex" is a Latin maxim meaning "the law does not concern itself with trifles." This principle is embodied in Section 95 of the Indian Penal Code, which states that nothing is an offence if the harm it causes is so slight that no person of ordinary sense and temper would complain of such harm.

13. According to Article 71 Disputes arising in connection with the elections of a President or Vice-President are to be enquired into and decided by
(A) The Supreme Court
(B) High Court
(C) Both by High Court and Supreme Court.
(D) Tribunal established for that purpose.

Ans :

(A) The Supreme Court
Explanation: Article 71(1) of the Constitution of India explicitly states that all doubts and disputes arising out of or in connection with the election of a President or Vice-President shall be inquired into and decided by the Supreme Court, whose decision shall be final. This grants exclusive jurisdiction to the Supreme Court in these matters.

14. The Supreme Court observed, Where an enterprise is engaged in a hazardous or inherently

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to them during the marriage, ensuring lifelong confidentiality of marital communications.

52. The Companies Act of 1956 accords recognition only to accounting standards whereas under Section 2(7) of the Companies Act of 2013 the recognition is accorded to both accounting and. standards.
(A) Financing
(B) Auditing
(C) Business
(D) Responsibility

Ans :

(B) Auditing
Explanation: Section 2(7) of the Companies Act, 2013, defines "auditing standards" as the standards of auditing or any addendum thereto as specified by the Institute of Chartered Accountants of India and approved by the Central Government. The 2013 Act gave statutory recognition to both accounting standards and auditing standards, strengthening the financial reporting framework.

53. Estoppel is a rule by which a party to litigation is/are-
(A) Stopped from asserting or denying a fact
(B) Prevented from appearing in person
(C) Prevented from hiding an evidence
(D) Both (1) and (2)

Ans :

(A) Stopped from asserting or denying a fact
Explanation: The doctrine of estoppel, found in Section 115 of the Indian Evidence Act, is a rule of evidence that prevents a person from denying the truth of a statement they previously made, if another person has acted upon that statement to their detriment. Essentially, it stops a party from going back on their word or representation.

54. Constitutive and declaratory theories of State relate to-
(A) Law of the Sea
(B) Law of Air space
(C) Law of Outer Space
(D) State Recognition

Ans :

(D) State Recognition
Explanation: The constitutive and declaratory theories are two major doctrines in international law concerning the recognition of a new state. The declaratory theory holds that a state exists once it meets the criteria of statehood, and recognition by other states is merely a formal acknowledgment. The constitutive theory argues that recognition by other states is a necessary condition for a new state to come into legal existence.

55. Which provision under the Criminal Procedure Code reflects the principle of autrefois acquit/ autrefois convict-
(A) Sec. 300
(B) Sec..305
(C) Sec. 306
(D) Sec. 311

Ans :

(A) Sec. 300
Explanation: The principles of "autrefois acquit" (formerly acquitted) and "autrefois convict" (formerly convicted) form the basis of the rule against double jeopardy. This rule is embodied in Section 300 of the Code of Criminal Procedure, which bars a second trial for the same offence after a person has been convicted or acquitted by a competent court.

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56. Leading questions can be asked during-
(A) Re-examination
(B) Examination-in-chief
(C) Cross-examination
(D) None of these.

Ans :

(C) Cross-examination
Explanation: A leading question is one that suggests the answer. According to Section 143 of the Indian Evidence Act, leading questions may be asked during cross-examination. They are generally not permitted during examination-in-chief or re-examination without the permission of the court, as the witness is expected to give their own account of the facts.

57. The Indian who is presently a member of International Court of Justice
(A) Justice A.S. Anand
(B) Justice Bhagwati
(C) Justice Dalveer Bhandari

disputes
(D) Regulation of labour and safety in mines and oil fields

Ans :

(C) Trade unions and industrial and labour disputes
Explanation: The Concurrent List (List III) of the Seventh Schedule to the Constitution contains subjects on which both the Parliament and State Legislatures can make laws. Entry 22 of this list specifically covers "Trade Unions; industrial and labour disputes," giving both levels of government legislative competence over these important matters.

99. In tort, there are two broad categories of activities for which a plaintiff may be held strictly liable-
(A) Possession of certain animals and abnormally dangerous activities
(B) Assault and battery
(C) Battery and negligence
(D) None of the above

Ans :

(A) Possession of certain animals and abnormally dangerous activities
Explanation: The doctrine of strict liability, originating from Rylands v. Fletcher, imposes liability without proof of fault. The two classic categories where this doctrine applies are: keeping dangerous animals (which have a known propensity to cause harm) and engaging in abnormally dangerous activities that involve a high degree of risk of harm to others.

100. Pick out the case that is popularly called as the Solicitor's Case.
(A) Ahmedabad Textile Industry's Research Association vs. State of Bombay
(B) National Union of Commercial Employees vs. Industrial Tribunal Bombay
(C) Salem Advocates Bar Association vs. Union of India
(D) Central Machine Tools Institute vs. Dy. Registrar of Trade Unions

Ans :

(B) National Union of Commercial Employees vs. Industrial Tribunal Bombay
Explanation: The case of National Union of Commercial Employees v. Industrial Tribunal, Bombay is famously known as the "Solicitor's Case." The Supreme Court, in this case, held that a solicitor's firm is not an "industry" within the meaning of the Industrial Disputes Act, 1947, as the services rendered are based on individual professional skill.

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by sending fraudulent emails or messages that appear to be from reputable sources, such as banks or online services, and directing users to a fake website to enter their credentials.

63. According to Motor Vehicles Act, 1988 no person under the age of..... years shall drive a motor vehicle in any public place.
(A) 16
(B) 20
(C) 18
(D) 21

Ans :

(C) 18
Explanation: Section 4 of the Motor Vehicles Act, 1988, lays down the age limits for driving motor vehicles. It explicitly states that no person under the age of eighteen years shall drive a motor vehicle in any public place. An exception allows for driving a motorcycle without gear for persons aged sixteen.

64. The development of the tradition natural justice into one of natural law is usually attributed to the
(A) Stoics
(B) Positivists
(C) Historical School
(D) Analytical School

Ans :

(A) Stoics
Explanation: The Stoic philosophers of ancient Greece and Rome are credited with developing the concept of natural justice into a broader theory of natural law. They believed in a rational and purposeful order to the universe (logos) and argued that human laws should align with this universal, natural law to be just.

65. "Asymmetric Crypto System" under Information Technology Act means a system of a secure key pair consisting of a private key for creating a digital signature and-
(A) a public key to verify the digital signature
(B) an individual key to verify the digital signature
(C) a lock to verify the digital signature
(D) a Government key to verify the digital signature

Ans :

(A) a public key to verify the digital signature
Explanation: As defined in Section 2(1)(f) of the Information Technology Act, 2000, an "asymmetric crypto system" uses a key pair for security. It consists of a private key, kept secret by the owner and used for creating a digital signature, and a mathematically related public key, which is shared openly and used to verify that digital signature.

66. Retention of money deposited with advocate for the decree holder even after execution proceedings was held as an instance of misconduct in which case
(A) In Re DC Saxena
(B) M. Veerendra Rao vs. Tek Chand
(C) Shambhu RamYadav vs. Hanuman Das Khatry
(D) Prahlad Saran Gupta vs. Bar Council of India

Ans :

(D) Prahlad Saran Gupta vs. Bar Council of India
Explanation: In this case, the advocate retained money that was due to his client, the decree-holder, even after the execution proceedings were completed. The Supreme Court held that this act of retaining the client's money without justification amounted to grave professional misconduct, as it is a serious breach of the trust placed in an advocate by their client.

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67. Special Summons under Section 206 of the Criminal Procedure Code can be issued by
(A) A Magistrate as well as the Court of Sessions
(B) A Magistrate only
(C) The Court of Sessions
(D) The High Court

Ans :

(B) A Magistrate only
Explanation: Section 206 of the CrPC deals with special summons in cases of petty offences. This provision specifically empowers a Magistrate to issue summons to the accused, allowing them to plead guilty by post and pay a specified fine without appearing in person. This power is vested only in Magistrates to expedite the disposal of minor cases.

(B) The case instituted on the police report
Explanation: When a criminal case is initiated on a private complaint and it is found that a police investigation is also underway for the same offence, the two are clubbed together. As per Section 210 of the CrPC, in such a situation, the Magistrate shall try both cases together as if the case were instituted on a police report.

88. Pigeon Hole theory was proposed by
(A) Winfield
(B) Salmond
(C) Black Stone
(D) Lord Knight

Ans :

(B) Salmond
Explanation: The "pigeon-hole" theory of tort law is famously associated with the jurist Salmond. According to this theory, the law of torts is a collection of specific, named torts (like negligence, defamation, etc.), and a plaintiff can only succeed if their claim fits into one of these existing "pigeon-holes."

89. Any person aggrieved by an order made by the District Forum may prefer an appeal against such order to the .... within a period of days from the date of the order-5
(A) State Commission, 306
(B) State Tribunal, 307
(C) State Forum, 308
(D) State Commission, 960

Ans :

(A) State Commission, 30
Explanation: Under Section 15 of the Consumer Protection Act, 1986, any person aggrieved by an order made by the District Forum (now District Commission) can appeal to the State Commission. The appeal must be filed within a period of thirty days from the date of the order.

90. According to The Consumer Protection Act, 1986 what is the limitation period applicable to the three forums in entertaining a complaint?
(A) 2 years from the date on which the cause of action has arisen
(B) 2 years from which the article was purchased
(C) 3 years
(D) None of the above

Ans :

(A) 2 years from the date on which the cause of action has arisen
Explanation: Section 24A of the Consumer Protection Act, 1986, prescribes the limitation period for filing a complaint. It states that the District Forum, State Commission, or National Commission shall not admit a complaint unless it is filed within two years from the date on which the cause of action has arisen.

91. A sees B running away from a room and afterwards sees C lying down in a pool of blood in the same room. A's evidence in as far as seeing running away is direct but as far as the murder is concerned, it is a
(A) Primary evidence
(B) Circumstantial evidence
(C) Real evidence
(D) Substantial evidence

Ans :

(B) Circumstantial evidence
Explanation: A did not see the act of murder itself. A saw circumstances from which an inference about the murder can be drawn: B running away and C lying in blood. Therefore, while A's testimony about seeing B run is direct evidence of that fact, it is circumstantial evidence with respect to the murder itself.

92. The National Consumer Dispute Redressal Commission constituted in the year was
(A) 1998
(B) 1988
(C) 1999
(D) 2000

Ans :

(B) 1988
Explanation: The National Consumer Disputes Redressal Commission (NCDRC) was established as the apex body in the three-tier consumer grievance redressal machinery under the Consumer Protection Act, 1986. It was set up by the Central Government in the year 1988 to handle high-value claims and appeals from the State Commissions.

93. Expert opinion under Section 45 is-
(A) A conclusive proof
(B) Not a conclusive proof
(C) Supportive and corroborative in nature

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73. The persons taking part in the commission of an offence have been divided into two classes. They are-
(A) Principal and abettors
(B) Principle and disciples
(C) Principal and accessory
(D) Debtor and holder

Ans :

(A) Principal and abettors
Explanation: In criminal law, participants in a crime are generally categorized based on their role. The "principal" is the person who actually commits the offence. An "abettor" is one who instigates, conspires in, or intentionally aids the commission of the offence. The Indian Penal Code deals with these roles extensively in its chapter on abetment.

74. In which famous case this issue had come up. Whether the advocate had committed a professional misconduct and is guilty of the offence of the criminal contempt of the Court for having interfered with and obstructed the course of justice by trying to threaten, overawe and overbear the Court by using insulting, disrespectful and threatening language.
(A) Vinay Chandra Mishra. In Re
(B) Ex-Capt. Harish Uppal vs. Union of India
(C) Hikmat Ali Khan vs. Ishwar Prasad Arya and Ors.
(D) None of the above

Ans :

(A) Vinay Chandra Mishra. In Re
Explanation: In the case of In Re: Vinay Chandra Mishra, the Supreme Court dealt with an advocate who used threatening and disrespectful language towards a judge in open court. The Court held that such behavior amounted to both gross professional misconduct and criminal contempt of court, as it scandalized the judiciary and obstructed the administration of justice.

75. "Misconduct" would cover any activity or conduct which his professional brethren of good repute and competency would reasonably regard as disgraceful or dishonor- able. It may be noted that the scope of "misconduct" is not restricted by technical interpretations of rules of conduct. This was proven conclu- sively in the case of-
(A) Noratanman Courasia vs. M. R. Murali
(B) Bar Council of Maharashtra vs. M.V. Dahbolkar
(C) In N. G. Dastane vs. Shrikant S. Shinde
(D) B. M. Verma vs. Uttrakhand Regulatory Commission

Ans :

(B) Bar Council of Maharashtra vs. M.V. Dahbolkar
Explanation: In this case, the Supreme Court provided a broad definition of "professional misconduct." It held that misconduct is not confined to technical violations of rules but includes any act that a body of advocates of good repute and competency would consider disgraceful or dishonorable. This sets a high standard of conduct for the legal profession.

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76. In which case, where the advocate of one of the parties was asking for continuous adjournments to the immense inconvenience of the opposite party, it was held by the Supreme Court that seeking adjournments for postponing the examination of witnesses who were present without making' other arrangements 'for examining such witnesses is a dereliction of the duty that an advocate owed to the Court amounting to misconduct.
(A) N.G. Dastane vs. Shrikant S. Shinde
(B) Sambhu Ram Yadav vs. Hanuman Das Khatry
(C) Noratanman Courasia vs. M. R. Murali
(D) None of the above

Ans :

(A) N.G. Dastane vs. Shrikant S. Shinde
Explanation: In N.G. Dastane v. Shrikant S. Shinde, the Supreme Court deprecated the practice of advocates seeking frequent adjournments, especially when witnesses are present. The court held that such conduct is a dereliction of duty towards the court and the client, amounts to professional misconduct, and obstructs the speedy delivery of justice.

77. Where territorial jurisdiction of a Court is transferred after passing a decree, an execution application may be filed -
(A) In the Court which had passed the decree
(B) In the Court to which territorial jurisdiction was transferred only

(D) Justice Nagendra Singh

Ans :

(C) Justice Dalveer Bhandari
Explanation: As of 2015, when this examination was held, Justice Dalveer Bhandari was the Indian member of the International Court of Justice (ICJ). He was first elected in 2012 and was subsequently re-elected for a full nine-year term in 2017, a position he continues to hold.

58. With reference to Cyber Crimes worm attack-
(A) needs the virus to attach
(B) do not need the virus to attach
(C) needs the host to attach
(D) do not need the host to attach

Ans :

(D) do not need the host to attach
Explanation: A computer worm is a type of standalone malware that replicates itself to spread to other computers. Unlike a virus, a worm does not need to attach itself to an existing program or a host file to spread. It can travel across networks independently, exploiting vulnerabilities to infect other systems.

59. The Act to provide legal recognition for the transactions carried out by means of electronic data interchange and other means of electronic communication, commonly referred to as "Electronic Commerce" is dealt under-
(A) Information Technology Act
(B) Information and Communication Technology Act
(C) Information Communication Act
(D) Information and Cyber Space Act

Ans :

(A) Information Technology Act
Explanation: The Information Technology Act, 2000, is the primary legislation in India that deals with cybercrime and electronic commerce. Its main objective is to provide legal recognition for transactions conducted through electronic means (e-commerce) and to facilitate the electronic filing of documents with Government agencies, thus creating a legal framework for the digital world.

60. Tabula rasa under International Law relates to-
(A) State Recognition
(B) Universal Succession
(C) State Succession
(D) Sources of International Law

Ans :

(C) State Succession
Explanation: "Tabula rasa" (clean slate) is a doctrine related to State Succession, specifically concerning treaty obligations. It posits that a newly independent state is not bound by the treaties that were entered into by the former colonial power that governed its territory. The new state starts with a "clean slate" regarding its treaty commitments.

61. International Criminal Court is based on -
(A) Rio Conference
(B) Rome Statute of the International Criminal Court
(C) Part of U.N. Charter
(D) Yugoslavakia Statute International Criminal Court

Ans :

(B) Rome Statute of the International Criminal Court
Explanation: The International Criminal Court (ICC) is an intergovernmental organization and international tribunal. Its legal foundation is the Rome Statute, a multilateral treaty adopted in 1998. The statute establishes the court's jurisdiction, functions, and structure for prosecuting individuals for international crimes like genocide, crimes against humanity, and war crimes.

62. An attempt to acquire sensitive information such as usernames, passwords, and credit card details and sometimes, indirectly, money by masquerading as a trustworthy entity in an electronic communication - is known as
(A) Salami Attacks
(B) Phishing
(C) Data diddling
(D) Forgery

Ans :

(B) Phishing
Explanation: Phishing is a type of social engineering attack where cybercriminals attempt to trick individuals into revealing sensitive personal information. They do this

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(A) Section 30
(B) Section 10
(C) Section 40
(D) Section 20

Ans :

(A) Section 30
Explanation: Section 30 of the Arbitration and Conciliation Act, 1996, encourages settlement of disputes. It allows the arbitral tribunal to use mediation, conciliation, or other procedures at any time during the proceedings to encourage a settlement. If the parties settle, the tribunal can record it as an arbitral award on agreed terms.

83. When a decree is transferred for execution to another Court and if the decree holder holder has reasons to apprehend that the judgment debtor will dispose of the property before it is attached by the other Court, he may apply to the Court which passed the decree to issue a .... attach the property at once.
(A) Caveat
(B) Restitution order
(C) Attachment order
(D) Precept

Ans :

(D) Precept
Explanation: Section 46 of the Code of Civil Procedure provides for the issuance of a "precept." A precept is an order or direction issued by the court which passed the decree to another competent court to attach any property belonging to the judgment-debtor. It is a temporary measure to prevent the debtor from disposing of the property.

84. Peek vs. Gurney is a famous case relating to -
(A) Mistake
(B) Misrepresentation
(C) Fraud
(D) Frustration of contract

Ans :

(B) Misrepresentation
Explanation: The case of Peek v. Gurney is a leading authority in contract law on the tort of deceit and misrepresentation. It established the principle that a false statement in a company's prospectus is a misrepresentation only to the original allottees of shares who subscribed based on it, not to subsequent purchasers of shares in the open market.

85. The police officer executing the warrant may use adequate force to access the place where search is to be conducted when-
(A) A free ingress is not possible
(B) The occupant of the place is a hardened criminal and there is possibility to escape
(C) The area is in such a nature that problem may arise at any time
(D) One of these

Ans :

(A) A free ingress is not possible
Explanation: Section 47 of the Code of Criminal Procedure allows a police officer executing a warrant to break open any outer or inner door or window to conduct a search. This use of force is permitted only if, after notification of his authority and purpose, he cannot otherwise obtain admittance or "free ingress" into the place.

86. An Executive Magistrate may require security for keeping good behavior from habitual offenders for a period not more than
(A) 6 months
(B) 3 months
(C) 1 year
(D) 3 years

Ans :

(D) 3 years
Explanation: Section 110 of the Code of Criminal Procedure empowers an Executive Magistrate to require security for good behaviour from persons who are habitual offenders. The magistrate can order such a person to execute a bond, with or without sureties, for their good behaviour for a period not exceeding three years.

87. As per the provisions of the Code of Criminal Procedure, in case of merger of the complaint with the police report the procedure to be. followed for the trial shall be of-
(A) The complaint case
(B) The case instituted on the police report
(C) Both as per the convenience during the trial
(D) None of these

Ans :

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68. Section 43A of the Information Technology Act deals with-
(A) Compensation for failure to protect data
(B) Punishment for sending offensive messages
(C) Identity Theft
(D) Impersonation

Ans :

(A) Compensation for failure to protect data
Explanation: Section 43A of the Information Technology Act, 2000, imposes a liability on corporate bodies that handle sensitive personal data. If such a body is negligent in implementing and maintaining reasonable security practices and procedures, resulting in wrongful loss or gain to any person, it becomes liable to pay damages by way of compensation.

69. Law is conceived as a form of the power value-conceived by
(A) Bentham and Austin
(B) Hart
(C) C Lassv Lasswell and McDougal
(D) Karl Olivecrona

Ans :

(C) C Lassv Lasswell and McDougal
Explanation: Harold Lasswell and Myres McDougal were proponents of the policy-oriented school of jurisprudence, often associated with Yale Law School. They viewed law not just as a set of rules but as a process of authoritative decision-making. In their framework, law is a tool for achieving social values, with power being a key value that law both distributes and regulates.

70. Section 47 (3) Motor Vehicles Act empowers the Regional Transport Authority to limit the number of stage carriage permits. Explain the nature of the function exercised.
(A) This is a judicial function, as the Authority's decision is based on an official policy.
(B) This is a quasi-judicial function, as the Authority's decision is based on a official policy.
(C) This is an administrative function, as the Authority's decision is based on an official policy.
(D) None of the above

Ans :

(C) This is an administrative function, as the Authority's decision is based on an official policy.
Explanation: The function of a Regional Transport Authority (RTA) in granting or limiting permits is considered an administrative function. The RTA exercises this power based on public interest and official policy considerations, rather than adjudicating a dispute between parties, which would be a judicial or quasi-judicial function.

71. The requirement to give reasons in administrative decisions which affect rights and liabilities has been held to be mandatory by the Supreme Court in-
(A) S.N. Mukherjee vs. Union of India
(B) State of Orissa vs. Dr. Binapani Dei
(C) State of Maharashtra vs. Jalgaon Municipal Council
(D) Motilal Padampat Sugar Mills Co. Ltd. vs. State of U.P

Ans :

(A) S.N. Mukherjee vs. Union of India
Explanation: In S.N. Mukherjee v. Union of India, the Supreme Court firmly established that the requirement to record reasons is a principle of natural justice. The court held that administrative authorities exercising quasi-judicial functions must provide reasons for their decisions, as this ensures fairness, transparency, and enables effective judicial review.

72. Donoughmore Committee Report on Minister's Powers, 1932, relates to
(A) England
(B) Australia
(C) U.S.A
(D) None of the above

Ans :

(A) England
Explanation: The Donoughmore Committee was appointed in 1929 in England to investigate the powers exercised by or under the direction of Ministers of the Crown through delegated legislation and judicial or quasi-judicial decisions. Its 1932 report is a foundational document in the development of modern administrative law in the United Kingdom.

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(D) None of these

Ans :

(C) Supportive and corroborative in nature
Explanation: The opinion of an expert under Section 45 of the Indian Evidence Act is not considered conclusive proof. Courts treat it as advisory and corroborative evidence. The opinion helps the court form a judgment, but the final decision rests with the court, which must weigh the expert's opinion along with all other evidence on record.

94. Identify the case that is related to the need for promotion and preservation of internal democracy within trade unions.
(A) Jay Engineering Works Ltd. vs. State of West Bengal
(B) Railway Union vs. Regd. of Trade Unions
(C) ONGC Workmens Association vs. State of West Bengal
(D) Hanumantha Rao vs. Dy. Registrar of Trade Unions

Ans :

(D) Hanumantha Rao vs. Dy. Registrar of Trade Unions
Explanation: In cases concerning the internal functioning of trade unions, courts have emphasized the importance of democratic principles. Issues related to fair elections, rights of members, and adherence to the union's constitution are central. The Hanumantha Rao case is a relevant example where the court intervened to uphold democratic processes within a union.

95. Which Article under the Constitution of India talks about the participation of workers in the management of Industries?
(A) 43
(B) 43-A
(C) 43-B
(D) 42

Ans :

(B) 43-A
Explanation: Article 43-A was inserted into the Directive Principles of State Policy by the 42nd Amendment Act, 1976. This article directs the State to take steps, by suitable legislation or in any other way, to secure the participation of workers in the management of undertakings, establishments, or other organisations engaged in any industry.

96. "Mere illegality of the strike does not per se spell unjustifiability". J. Krishna Iyer. In which case declared so -
(A) Chandramalai Estate vs. Its workmen
(B) Associated Cement Ltd. vs. Their workmen
(C) Gujarat Steel Tubes vs. Gujarat Steel Tubes Mazdoor Sabha
(D) Indian General Navigation of Railway Co. Ltd. vs. Their workmen

Ans :

(C) Gujarat Steel Tubes vs. Gujarat Steel Tubes Mazdoor Sabha
Explanation: In this landmark case, Justice Krishna Iyer made the crucial distinction between an illegal strike and an unjustified one. He opined that a strike may be illegal due to non-compliance with statutory procedures but could still be justified if the workers' demands are fair and their grievances are genuine, requiring a deeper look into the merits of the dispute.

97. A statement made by an accused person before the trial begins, by which he admits to have committed the offence, but which he repudiates at the trial is known as-
(A) Extra-judicial confession
(B) Judicial confession
(C) Retracted confession
(D) Voluntary confession

Ans :

(C) Retracted confession
Explanation: A retracted confession is one that was voluntarily made by an accused at some point before the trial (e.g., before a Magistrate) but is later denied or withdrawn by the accused during the trial. Courts view such confessions with caution and generally look for independent corroboration before relying on them for a conviction.

98. Entry No. 22 of the Concurrent List deals with-
(A) Social security and insurance, employment and unemployment
(B) Industrial disputes concerning Union employees
(C) Trade unions and industrial and labour

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(C) In either of the Court under (1) or (2)
(D) In any Court in India

Ans :

(A) In the Court which had passed the decree
Explanation: According to Section 38 of the Code of Civil Procedure, a decree may be executed either by the court which passed it, or by the Court to which it is sent for execution. Even if the territorial jurisdiction over the subject matter is later transferred, the court that originally passed the decree retains the power to execute it.

78. Identify a case where set off can be pleaded.
(A) Suit for recovery of ascertained sum of money
(B) Claim for unliquidated damages
(C) Suit for a sum legally non- recoverable
(D) None of the above

Ans :

(A) Suit for recovery of ascertained sum of money
Explanation: Under Order VIII, Rule 6 of the CPC, a set-off can be claimed by the defendant only when the plaintiff's suit is for the recovery of money. A crucial condition is that the sum claimed by the defendant as a set-off must be an ascertained (specific) sum of money and legally recoverable from the plaintiff.

79. Where the right to the discovery or the inspection sought depends on the determination of any issue in the suit, the Court may try that issue as a before deciding upon the right to discovery or inspection.
(A) Special issue
(B) Preliminary issue
(C) Res judicata
(D) Res sub judice

Ans :

(B) Preliminary issue
Explanation: Order XI, Rule 20 of the CPC provides that if the right to discovery or inspection of documents depends on the determination of any issue or question in the suit, the court may order that such issue or question be determined first. This is essentially treating it as a preliminary issue before granting the discovery.

80. The Supreme Court in held that irrespective of where the 'central management and control is exercised' by a company, companies incorporated in India, cannot choose foreign law as the governing law of their arbitration.
(A) TDM Infrastructure (P) Ltd. vs. UE Development India (P) Ltd.
(B) Corned Chemicals Ltd. VS. C.N. Ramchand
(C) Shreejee Traco (I) Pvt. Ltd. VS. Paperline International Inc
(D) Bhatia International vs. Bulk Trading

Ans :

(A) TDM Infrastructure (P) Ltd. vs. UE Development India (P) Ltd.
Explanation: In the case of TDM Infrastructure (P) Ltd. v. UE Development India (P) Ltd., the Supreme Court held that two Indian companies cannot choose a foreign law to govern their arbitration agreement. The court reasoned that such an arrangement would be contrary to the public policy of India, as Indian parties are bound by Indian laws.

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81. The judgment in skews the delicate balance, carefully crafted by the Model Law (and enshrined in Section 34), between finality of arbitral awards on one hand and permissible judicial review on the other.
(A) Renu Sagar Power Co vs. General Electric Corporation
(B) ONGC vs. Saw Pipes Ltd.
(C) Sundaram Finance vs. NEPC
(D) Olympus Superstructures Pvt. Ltd vs. Meena Vijay Khetan

Ans :

(B) ONGC vs. Saw Pipes Ltd.
Explanation: The Supreme Court's decision in ONGC v. Saw Pipes Ltd. is often cited for having widened the scope of judicial review of arbitral awards under Section 34 of the Arbitration Act. By interpreting "public policy of India" to include "patent illegality," it allowed courts to set aside awards on merits, which was seen by many as disturbing the balance favouring arbitral finality.

82. Which Section of the 1996 Arbitration Act permits the parties to engage in conciliation process even while the arbitral proceedings are on?

ALL INDIA BAR EXAMINATION VII

1. The concept of 'privity of contract' was rejected in-
(A) Winterbottom vs. Wright
(B) Donoghue vs. Stevenson
(C) Longmeid vs. Holiday
(D) Heaven vs. Pender

Ans :

(B) Donoghue vs. Stevenson
Explanation: The landmark case of Donoghue vs. Stevenson established the 'neighbour principle' in tort law, effectively creating an exception to the strict doctrine of privity of contract. It held that a manufacturer owes a duty of care to the ultimate consumer, regardless of any contractual relationship, thereby allowing claims for negligence without a direct contract.

2. In the judgment of the Supreme Court in Salem Bar Association vs. Union of India, the Supreme Court had requested this committee headed by to prepare a case management formula.
(A) Justice Bhagwathi
(B) Justice Muralidhar
(C) Justice Raveendran
(D) Justice Jagannandha Rao

Ans :

(D) Justice Jagannandha Rao
Explanation: Following the amendments to the Civil Procedure Code, the Supreme Court, in the Salem Advocate Bar Association case, appointed a committee headed by Justice M. Jagannadha Rao. This committee was tasked with drafting model rules for case management and recommending measures to ensure the effective implementation of the amendments to expedite justice.

3. The Companies Act, 2013 has increased the limit of the number of members in Private Company from 50 to-
(A) 100
(B) 200
(C) 300
(D) 150

Ans :

(B) 200
Explanation: The Companies Act, 2013, under Section 2(68), significantly revised the definition of a private company. One of the key changes was increasing the maximum number of members from the previous limit of fifty (under the Companies Act, 1956) to two hundred, excluding current and former employee-members, to allow for greater participation.

4. Evidences to document unmeaning in reference to existing, facts is called as
(A) Patent ambiguity
(B) Latent ambiguity
(C) Both of them
(D) None of the above

Ans :

(B) Latent ambiguity
Explanation: This situation describes a latent ambiguity, which is addressed in Section 96 of the Indian Evidence Act, 1872. A latent ambiguity occurs when the language of a document is clear on its face but becomes unclear when applied to external facts. Extrinsic evidence is permissible to resolve such an ambiguity.

5. Original document is the best evidence. Exception to this rule is contained in
(A) Indian Evidence Act
(B) Criminal Procedure Code
(C) Bankers Book Evidence Act
(D) None of these

Ans :

(C) Bankers Book Evidence Act
Explanation: The "best evidence rule" requires original documents to be produced. While the Indian Evidence Act itself provides for exceptions (secondary evidence), the Bankers' Book Evidence Act, 1891, is a specific statute that creates a notable exception. It permits certified

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of transfer and the minority of an unborn person
(C) During the lifetime of the transferor and the minority period of an unborn person
(D) None of the above

Ans :

(B) One or more life or lives in being at the date of transfer and the minority of an unborn person
Explanation: This question pertains to the rule against perpetuity, as laid down in Section 14 of the Transfer of Property Act, 1882. The rule states that a property transfer cannot create an interest that is to take effect after the lifetime of one or more persons living at the date of the transfer, and the minority of some person who shall be in existence at the expiration of that period.

28. Right to freedom to acquire, hold and dispose-off property is abolished by
(A) 44th Amendment Act, 1978
(B) 43rd Amendment Act, 1976
(C) 50th Amendment Act, 1950
(D) 1st Amendment Act, 1951

Ans :

(A) 44th Amendment Act, 1978
Explanation: The 44th Constitutional Amendment Act of 1978 removed the Right to Property from the list of Fundamental Rights. It repealed Article 19(1)(f) and Article 31. The right was instead made a constitutional right under Article 300-A, which states that no person shall be deprived of his property save by authority of law.

29. India became a party to the International Convention of Biological Diversity in-
(A) 1992
(B) 1995
(C) 1994
(D) 2000

Ans :

(C) 1994
Explanation: The Convention on Biological Diversity (CBD) was opened for signature at the Earth Summit in Rio de Janeiro in 1992 and entered into force in 1993. India signed the convention in 1992 and ratified it on February 18, 1994, officially becoming a party to this key international agreement for the conservation of biological diversity.

30. "A", a railway company, is in possession of goods as a consignee. It does not claim any interest in the goods except lien of wharfage, demurrage and freight but rival claims have been made by B and C adversely to each other. A can institute-
(A) An application to decide the same
(B) An interpleader suit
(C) Friendly suit
(D) None of the above

Ans :

(B) An interpleader suit
Explanation: An interpleader suit, governed by Section 88 of the Code of Civil Procedure, is the appropriate legal action. This suit is initiated by a person who holds property or money that is claimed by two or more rival parties. The plaintiff (the railway company) has no interest in the subject matter beyond its legitimate charges.

31. As per the provisions of the Criminal Procedure Code, the word 'inspection' used in Section 93(1) (c) refers to-
(A) Things or documents
(B) Documents only
(C) Locality and place
(D) None of the above

Ans :

(C) Locality and place
Explanation: Section 93(1)(c) of the CrPC allows a court to issue a general search warrant when it considers that the purposes of any inquiry, trial, or other proceeding would be served by a general search or inspection. In this context, 'inspection' refers to a general examination of a place or locality, not a search for specific items.

32. Statement recorded during investigation under Section 161 of Cr.P.C. can be used during trial for-
(A) Corroborating the witness
(B) Contradicting the witness
(C) Both (1) and (2)
(D) Neither (1) nor (2)

Ans :

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Explanation: The Companies Act, 2013, established the National Financial Reporting Authority (NFRA). Under Section 132, the NFRA is empowered to monitor and enforce compliance with accounting and auditing standards. The Central Government, in consultation with NFRA, prescribes the standards of auditing to be followed by auditors of companies under the Act.

12. Accountability of medical professional and the need for qualitative change in the attitude of the medical service provided by the hospitals was emphasized by the Supreme Court in which of the following cases
(A) Bhatia International vs. Bulk Trading S.A.
(B) Indian Medical Association vs. V.P. Shantha and Ors
(C) Manekha Gandhi vs. Union of India
(D) Lucknow Development Authority vs. M. K. Gupta

Ans :

(B) Indian Medical Association vs. V.P. Shantha and Ors
Explanation: In the landmark case of Indian Medical Association vs. V.P. Shantha, the Supreme Court held that medical services are covered under the definition of "service" in the Consumer Protection Act, 1986. This judgment made medical professionals and hospitals accountable for negligence and deficiency in service, emphasizing the need for quality care.

13. Renewal of driving licenses is envisaged under Section of the Motor Vehicles Act, 1988.
(A) Section 20
(B) Section 21
(C) Section 22
(D) Section 15

Ans :

(D) Section 15
Explanation: Section 15 of the Motor Vehicles Act, 1988, contains the provisions for the renewal of driving licenses. It specifies the procedure for application, the time frame within which an application for renewal must be made, and the conditions under which a licensing authority can renew a license, including medical fitness for certain age groups.

14. The question whether the Fundamental Rights can be amended under Art. 368 came for consideration first time in-
(A) Shankari Prasad vs. Union of India
(B) Keshavananda Bharati vs. Union of India
(C) Golak Nath vs. State of Punjab
(D) None of the above

Ans :

(A) Shankari Prasad vs. Union of India
Explanation: The case of Shankari Prasad vs. Union of India (1951) was the first instance where the Supreme Court deliberated on the amendability of Fundamental Rights. The court held that the power of Parliament to amend the Constitution under Article 368 also included the power to amend Fundamental Rights, viewing a constitutional amendment as distinct from ordinary law.

15. Equality of opportunity sdmits discrimination with reasons, it was observed by Apex Court in-
(A) State of Kerala vs. N.M. Thomas
(B) Indira Sawhney vs. Union of India
(C) AIR India vs. Nargesh Mirza
(D) All the above

Ans :

(A) State of Kerala vs. N.M. Thomas
Explanation: In State of Kerala vs. N.M. Thomas, the Supreme Court held that the principle of equality of opportunity is not a formal, abstract concept. The court observed that it admits of discrimination with reason, upholding a rule that granted a temporary exemption to SC/ST employees from passing a test for promotion as a reasonable classification.

16. Meaning of Nemo moriturus praesumuntur mentiri-
(A) A dying man can never speak truth
(B) A dying man can never speak falsehood
(C) A dying man can speak truth
(D) A dying man may not speak falsehood

Ans :

(B) A dying man can never speak falsehood
Explanation: This Latin maxim means "a man will not meet his maker with a lie in his mouth." It is the legal and moral principle underlying the admissibility of a dying declaration as evidence, as codified in Section 32(1) of the Indian

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Evidence Act. The belief is that impending death compels the truth.

17. If a Court lower to the Sessions Court tries a murder case that Court is called as
(A) Coram sub judice
(B) Coram non judice
(C) Coram non subjudice
(D) Coram judice

Ans :

(B) Coram non judice
Explanation: 'Coram non judice' is a Latin term for proceedings held 'before a judge not having jurisdiction'. Under the Criminal Procedure Code, a murder trial is exclusively triable by a Court of Session. Therefore, if a court of a lower rank, like a Magistrate's court, tries such a case, its proceedings are void for lack of jurisdiction.

18. SFIO stands for-
(A) Serious Fraud Investigation Office
(B) Serious Force Institution Office
(C) Serious Form Investigation Office
(D) Serious File Investigation Office

Ans :

(A) Serious Fraud Investigation Office
Explanation: SFIO stands for the Serious Fraud Investigation Office. It is a multi-disciplinary organization under the Ministry of Corporate Affairs, Government of India, responsible for investigating and prosecuting complex cases of corporate fraud. It was constituted based on the recommendations of the Naresh Chandra Committee on corporate governance.

19. Frost vs. Knight is a leading case on-
(A) Section 32
(B) Section 33
(C) Section 34
(D) Section 35

Ans :

(C) Section 34
Explanation: The case of Frost vs. Knight is a landmark judgment on the concept of anticipatory breach of contract. This principle is reflected in Section 34 of the Specific Relief Act, 1963, although more directly related to the Indian Contract Act. The case established that a promisee can sue for damages immediately upon repudiation, even before the performance is due.

20. Which among the following is a law based on equity?
(A) Indian Contract Act, 1872
(B) Indian Penal Code, 1860
(C) Indian Partnership Act, 1932
(D) Specific Relief Act, 1963

Ans :

(D) Specific Relief Act, 1963
Explanation: The Specific Relief Act, 1963, is fundamentally based on the principles of equity, justice, and good conscience. Its remedies, such as specific performance, injunctions, and rectification of instruments, are discretionary and granted by courts when monetary compensation is an inadequate remedy, reflecting its equitable origins from English Chancery courts.

21. Which section of the Specific Relief Act, describes temporary Injunction-
(A) Section 45
(B) Section 41
(C) Section 37
(D) Section 45

Ans :

(C) Section 37
Explanation: Section 37 of the Specific Relief Act, 1963, deals with injunctions. Specifically, Section 37(1) defines temporary injunctions as those which are to continue until a specified time, or until the further order of the court. It also states that they may be granted at any stage of a suit and are regulated by the Code of Civil Procedure, 1908.

22. The maintenance amount which can be transferred is.....
(A) Future maintenance
(B) Right to future maintenance
(C) Arrears of maintenance up to a certain date
(D) None of the above

Ans :

(C) Arrears of maintenance up to a certain date
Explanation: Under Section 6(dd) of the Transfer of Property Act, 1882, a right to future

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maintenance, in whatsoever manner arising, secured or determined, cannot be transferred. However, arrears of maintenance that have already become due and payable are considered a debt, and this accrued right to receive money can be transferred.

23. Polluter Pays Principle means
(A) Polluter should bear the cost of pollution as the polluter is responsible for pollution
(B) Polluter should not necessarily bear the cost of pollution as the polluter may not be responsible for pollution
(C) Polluter may bear the cost of pollution as the polluter may be responsible for pollution
(D) None of the above

Ans :

(A) Polluter should bear the cost of pollution as the polluter is responsible for pollution
Explanation: The Polluter Pays Principle is a core concept in environmental law, established by the Supreme Court in cases like Indian Council for Enviro-Legal Action vs. Union of India. It mandates that the entity responsible for causing pollution must bear the costs of remedying the damage to the environment and compensating the victims of that pollution.

24. "Pollution is a civil wrong. By its very nature, it is a tort committed against the community as a whole. A person, therefore, who is guilty of causing pollution, has to pay damages (compensation) for restoration of the environment. He has also to pay damages to those who have suffered loss on account of the act of the offender. Further, the offender can also be held liable to pay exemplary damages so that it may act as a deterrent for others not to cause pollution in any manner. However, the Court cannot impose any pollution fine in absence of any trial and finding of guilty under the relevant statutory provisions." This observation was made in-
(A) M.C. Mehta vs. Kamal Nath
(B) Calcutta Tunneries Case
(C) M. C. Mehta vs. UOI
(D) P. Pollution Control Board vs. M. V Nayudu

Ans :

(A) M.C. Mehta vs. Kamal Nath
Explanation: This observation was made by the Supreme Court in the case of M.C. Mehta vs. Kamal Nath. The Court elaborated on the Polluter Pays Principle and held that the polluter is liable to pay damages for the restoration of the environment. It also introduced the concept of exemplary damages to act as a deterrent against environmental harm.

25. National Conservation Strategy and Policy Statement on Environment and Development is a major environmental policy in India and it was passed in the year
(A) 1958
(B) 1982
(C) 1992
(D) 1990

Ans :

(C) 1992
Explanation: The National Conservation Strategy and Policy Statement on Environment and Development was adopted by the Government of India in June 1992. This policy document was formulated to integrate environmental considerations into the development process and outlines strategies for the conservation of natural resources and sustainable development, aligning with the goals of the Rio Earth Summit.

26. of the Environmental Protection Act, 1986, defines 'Environment'.
(A) Section 2(a)
(B) Section 3 (a)
(C) Section 1(a)
(D) Section 11 (a)

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Ans :

(A) Section 2(a)
Explanation: Section 2(a) of the Environment (Protection) Act, 1986, provides the definition of "environment." It defines the term inclusively, stating that "environment" includes water, air, and land, and the inter-relationship which exists among and between water, air and land, and human beings, other living creatures, plants, micro-organisms and property.

27. The maximum period during which property can be tied up is-
(A) Only 15 years
(B) One or more life or lives in being at the date

copies of entries in a banker's books to be used as prima facie evidence in legal proceedings.

6. Which provision of the Companies Act, 2013 discusses about the issue of bonus shares out of its free reserves or the securities premium account or the capital redemption reserve account, subject to the compliance with certain conditions such as authorization by the article, approval in the general meeting?
(A) Section 36
(B) Section 43
(C) Section 63
(D) Section 33

Ans :

(C) Section 63
Explanation: Section 63 of the Companies Act, 2013 governs the issuance of bonus shares by a company. It specifies the sources from which bonus shares can be issued, namely its free reserves, the securities premium account, or the capital redemption reserve account. It also lays down several conditions that must be met before such an issue.

7. Section 82 IPC is an illustration for-
(A) Presumption of fact
(B) Presumption of law
(C) Presumption of fact and presumption of law
(D) None of the above

Ans :

(B) Presumption of law
Explanation: Section 82 of the Indian Penal Code establishes an irrebuttable or conclusive presumption of law, known as 'doli incapax'. It states that nothing is an offence if done by a child under seven years of age. The law conclusively presumes such a child is incapable of forming the necessary criminal intent (mens rea).

8. Period of limitation for execution of the order of maintenance is from the date on which it becomes due.
(A) 1 year
(B) 9 years
(C) 5 years
(D) 15 years

Ans :

(A) 1 year
Explanation: According to the proviso to Section 125(3) of the Criminal Procedure Code, 1973, an application for the enforcement of a maintenance order and the recovery of arrears must be filed within one year from the date on which the amount became due. Failure to do so bars the court from issuing a warrant.

9. Qui facit per alium facit per se, mean
(A) Act of an agent is the act of principal
(B) Act of an agent is not an act of principal
(C) Principal and agent are liable jointly
(D) Agent must not act in contravention of the act of principal

Ans :

(A) Act of an agent is the act of principal
Explanation: This Latin maxim is a fundamental principle of agency law, establishing the concept of vicarious liability. It translates to "He who acts through another does the act himself." It means that a principal is responsible for the acts of their agent when the agent is acting within the scope of their authority.

10. is observed as the World Consumer Rights Day.
(A) 15th of March
(B) 16th of March
(C) 12th of March
(D) 11th of March

Ans :

(A) 15th of March
Explanation: World Consumer Rights Day is celebrated annually on March 15th. The day was inspired by President John F. Kennedy's special message to the US Congress on March 15, 1962, in which he formally addressed the issue of consumer rights. It is a day to raise global awareness about consumer rights and needs.

11. The Standards on Auditing have been accord legal sanctity in the 2013 Act and would be subject to notification by the
(A) NFRA
(B) NRFA
(C) NARF
(D) SEBI

Ans :

(A) NFRA

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(B) Contradicting the witness
Explanation: According to Section 162 of the CrPC, a statement made by any person to a police officer during an investigation cannot be used as evidence, except for a very specific purpose. The accused, and with the court's permission, the prosecution, can use the statement to contradict the witness during the trial, as per Section 145 of the Indian Evidence Act.

33. "If an accused is charged of a major offence but is not found guilty thereunder, he can be convicted of minor offence, if the facts established indicate that such minor offence has been committed." It was so upheld in which case -
(A) Sangarahania Sreenu vs State of Andhra Pradesh
(B) State of Himachal Pradesh vs Tara Dutta
(C) Shamsher Singh vs State of Punjab
(D) Nalini vs State of Tamil Nadu

Ans :

(B) State of Himachal Pradesh vs Tara Dutta
Explanation: This principle, which is codified in Section 222 of the CrPC, was discussed and affirmed by the Supreme Court in several cases, including State of Himachal Pradesh vs. Tara Dutta. The court clarified that for a conviction for a minor offence, the major offence charged must include all the ingredients of the minor offence.

34. 'Ex dolo malo oritur actio' is-
(A) An action arose only when a right infringes
(B) An action could not prevent a legal right
(C) No action on an immoral act
(D) None of the above

Ans :

(C) No action on an immoral act
Explanation: The Latin maxim is actually 'Ex dolo malo non oritur actio', which translates to "No right of action can arise from a fraudulent or immoral act." It signifies that a person cannot pursue a legal remedy if their cause of action is based on their own illegal or immoral conduct. Option (C) is the closest in meaning.

35. The Jural correlative of immunity is-
(A) Power
(B) Disability
(C) No claim
(D) Claim

Ans :

(B) Disability
Explanation: According to Hohfeld's analysis of jural relations, legal concepts exist in pairs of correlatives and opposites. The jural correlative of 'immunity' is 'disability'. This means if a person has immunity from having their legal position altered by another, that other person has a corresponding disability to alter that legal position.

36. Who defines 'eternal law is the divine order or will of God which requires the preservation of natural order and forbids the breach of if'?
(A) Ambrose
(B) Augustine
(C) Gregory
(D) All the above

Ans :

(B) Augustine
Explanation: St. Augustine, a prominent Christian theologian and philosopher, defined eternal law in this manner. He posited that eternal law is the divine reason and the will of God, commanding that the natural order be preserved and forbidding its disturbance. For Augustine, all other forms of law, such as natural and human law, derive their authority from this eternal law.

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37. 'Government, even in its best state, is but a necessary evil; in its worst state, an intolerable one.' Who stated so?
(A) Thomas Paine
(B) Gregory Peck
(C) Jefferson
(D) Dicey

Ans :

(A) Thomas Paine
Explanation: This famous quote is from Thomas Paine's influential pamphlet, "Common Sense," published in 1776. In this work, Paine argued for American independence from Britain. The quote reflects his view of government as an institution that, while necessary to prevent societal chaos, inherently infringes upon individual liberty and must be carefully controlled.

(A) Benares or Agra
Explanation: According to Section 20 of the Code of Civil Procedure, 1908, a suit can be instituted where the defendant resides (Agra) or where the cause of action, wholly or in part, arises. The cause of action arose in Benares, where the loan was given and was to be repaid. Therefore, A has the option to file the suit in either Agra or Benares.

49. The general principle of waiver that provides that failure to raise objection in the Court of the first instance and at the earliest opportunity shall prevent the defendant from raising such objection at a subsequent stage and the judgment would not be vitiated on the ground of absence of territorial or pecuniary jurisdiction is reflected in which provision of Civil Procedure Code-
(A) Section 15
(B) Section 16
(C) Section 51
(D) Section 21

Ans :

(D) Section 21
Explanation: Section 21 of the Code of Civil Procedure embodies this principle. It states that an appellate or revisional court shall not allow any objection regarding the place of suing unless it was raised in the court of first instance at the earliest opportunity and has resulted in a consequent failure of justice.

50. "Act of Court can do no wrong to any person". Which concept relates to this ideology-
(A) Precept
(B) Caveat
(C) Restitution
(D) Injunction

Ans :

(C) Restitution
Explanation: The doctrine of restitution is based on the legal maxim "actus curiae neminem gravabit," which means an act of the court shall prejudice no one. Embodied in Section 144 of the CPC, restitution aims to restore a party to the position they were in before a court's erroneous decree or order was passed, ensuring no one suffers due to a court's action.

51. An Executive. Magistrate may require security for keeping good behaviour from habitual offenders for a period not more that
(A) 6 months
(B) 1 year
(C) 2 years
(D) 3 years

Ans :

(D) 3 years
Explanation: Section 110 of the Criminal Procedure Code empowers an Executive Magistrate to demand security for good behaviour from persons who are habitual offenders (e.g., robbers, house-breakers, forgers). The Magistrate can require such a person to execute a bond, with or without sureties, for maintaining good behaviour for a period not exceeding three years.

52. Section 167 of the Criminal Procedure Code provides that the nature of custody can be altered from judicial custody to police custody and vice-versa. This alteration can be done during the period of first-
(A) 15 days
(B) 16 days
(C) 14 days
(D) 12 days

Ans :

(A) 15 days
Explanation: Section 167 of the CrPC allows a Magistrate to authorize the detention of an accused in police custody. However, this is strictly limited to the initial period of fifteen days from the date of arrest and production before the Magistrate. Any change in the nature of custody from judicial to police or vice-versa can only occur within this first fifteen-day period.

53. Under which provision of the Code of Criminal Procedure it is mandatory for a police officer w inform the person arrested, the grounds of arrest and right of ball if the offence is not non-bailable.
(A) Section 150
(B) Section 105
(C) Section 50
(D) Section 510

Ans :

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Explanation: Section 9A of the Advocates Act, 1961, mandates the constitution of Legal Aid Committees by both the State Bar Councils and the Bar Council of India. This provision was inserted to ensure that legal aid can be provided to the poor and marginalized, fulfilling a crucial social responsibility of the legal profession.

44. Section 89 of the Civil Procedure Code was incorporated through the Civil Procedure Code Amendment Act of..... which is the prominent provision that discusses about the jurisdiction of civil Courts in applying Alternate Dispute Resolution mechanisms.
(A) 1989
(B) 1999
(C) 1988
(D) 2009

Ans :

(B) 1999
Explanation: Section 89, which provides for the settlement of disputes outside court, was inserted into the Code of Civil Procedure by the CPC (Amendment) Act of 1999, with effect from 2002. This provision empowers civil courts to refer disputes to alternative dispute resolution (ADR) mechanisms like arbitration, conciliation, mediation, or judicial settlement through Lok Adalat.

45. In which case the Supreme Court held that Part I of the Arbitration and Conciliation Act would equally apply to international commercial arbitration held outside India, unless any or all provisions have been excluded by agreement between the parties.
(A) Bhatia International vs. Bulk Trading S. A
(B) United India Ins. Co. Ltd vs. Associated Transport Corpn. Ltd
(C) Hakam Singh vs. Gammon (India) Ltd.
(D) Ajmera Brothers vs. Suraj Naresh Kumar Jain

Ans :

(A) Bhatia International vs. Bulk Trading S. A
Explanation: In Bhatia International vs. Bulk Trading S.A. (2002), the Supreme Court delivered this significant ruling, extending the applicability of Part I of the 1996 Act to foreign-seated arbitrations unless the parties expressly or impliedly excluded it. This position was later overruled in Bharat Aluminium Co. vs. Kaiser Aluminium Technical Services Inc. (BALCO) in 2012.

46. Establishment of Permanent Lok Adalats is envisaged under Section of the Legal Services Authority Act of 1987.
(A) Section 22B
(B) Section 22A
(C) Section 22 (1)
(D) Section 22

Ans :

(A) Section 22B
Explanation: Section 22B of the Legal Services Authorities Act, 1987, provides for the establishment of Permanent Lok Adalats. This section was inserted through an amendment in 2002 to create a permanent body for the settlement of disputes concerning public utility services like transport, postal, and telegraph services before the matter reaches a court.

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47. What are the remedies open to the party aggrieved in a suit on contracts?
(A) Specific performance and injunction
(B) Specific performance and damages
(C) Specific performance only
(D) All the above

Ans :

(D) All the above
Explanation: When a contract is breached, the aggrieved party has multiple remedies available. These include claiming damages (monetary compensation), seeking specific performance (compelling the other party to perform the contract), and obtaining an injunction (a court order to do or refrain from doing an act). The appropriate remedy depends on the nature of the contract and the breach.

48. 'A' resides at Delhi, and 'B' at Agra. B borrows Rs. 20,000/- from A at Benares and passes a promissory note to A payable at Benares. B fails to repay the loan. A may sue Bat-
(A) Benares or Agra
(B) Benares only
(C) Agra only
(D) Benares, Agra and Delhi

Ans :

38. The Constitution of India has recognized the concept of Tribunals as instruments of quasi-judicial administrative adjudication
(A) Articles 39 (a) and 39 (b)
(B) Articles 323- A and 323 B
(C) Article 368
(D) Articles 202A and 202B

Ans :

(B) Articles 323- A and 323 B
Explanation: Articles 323-A and 323-B were added to the Constitution by the 42nd Amendment Act, 1976. Article 323-A empowers Parliament to provide for the adjudication of disputes relating to recruitment and conditions of service of public servants by administrative tribunals. Article 323-B allows for the establishment of tribunals for other matters like taxation and foreign exchange.

39. Nemo judex in causa sua meaning No man shall be a Judge in his own cause was first stated by..... in Dr. Bonham's Case-
(A) Lord Grey
(B) Lord Heward
(C) Lord Coke
(D) Lord Moulton

Ans :

(C) Lord Coke
Explanation: The principle 'Nemo judex in causa sua' (no one should be a judge in their own cause) is a cornerstone of natural justice. It was famously articulated by Sir Edward Coke in Dr. Bonham's case (1610), where he asserted that even an Act of Parliament could be controlled by common law if it went against common right and reason.

40. General power of the Bar Council of India to make rules is envisaged under which Section of the Advocates Act, 1961?
(A) Section 48
(B) Section 49
(C) Section II-2
(D) Section IV A

Ans :

(B) Section 49
Explanation: Section 49 of the Advocates Act, 1961, grants the Bar Council of India the general power to make rules for discharging its functions under the Act. This includes prescribing standards of professional conduct and etiquette for advocates, laying down the procedure to be followed by its disciplinary committees, and determining the standards of legal education.

41. Seven lamps of advocacy is attributable to-
(A) Justice Abbot Parry
(B) Justice Heward
(C) Justice Bhagawathy
(D) Justice Grey

Ans :

(A) Justice Abbot Parry
Explanation: The concept of the "Seven Lamps of Advocacy" is attributed to Judge Edward Abbott Parry from his book of the same name. These "lamps"—Honesty, Courage, Industry, Wit, Eloquence, Judgment, and Fellowship—are considered the essential qualities that a person must possess to be a successful and ethical advocate.

42. Which Section under the Advocates Act, 1961 speaks of disciplinary powers of the Bar Council of India?
(A) Section 35
(B) Section 37
(C) Section 36
(D) Section 39

Ans :

(C) Section 36
Explanation: Section 36 of the Advocates Act, 1961, outlines the disciplinary powers of the Bar Council of India. It empowers the BCI to refer any case of professional misconduct to its disciplinary committee, withdraw cases pending before a State Bar Council's disciplinary committee for its own disposal, and lays down related procedures.

43. Section of Advocates Act, 1961 speaks about constitution of Legal Aid Committees.
(A) Section 9
(B) Section 10
(C) Section 9A
(D) Section 10A

Ans :

(C) Section 9A

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(C) Section 50
Explanation: Section 50 of the CrPC imposes a mandatory duty on the police officer making an arrest without a warrant to inform the arrested person of the full particulars of the offence and the grounds for arrest. Furthermore, under Section 50(2), if the offence is bailable, the officer must inform the person of their right to be released on bail.

54. Section 41-B is inserted into the Criminal Procedure Code on the basis of which among the following decisions-
(A) Nandini Satpathy vs. PL Dhani
(B) Sunil Batra vs. Delhi Administration
(C) Prem Shankar Shukla vs. Delhi Administration
(D) D.K. Basu vs. State of West Bengal

Ans :

(D) D.K. Basu vs. State of West Bengal
Explanation: Section 41-B, specifying the procedure of arrest and the duties of the arresting officer, was incorporated into the CrPC following the landmark Supreme Court judgment in D.K. Basu vs. State of West Bengal. This judgment laid down eleven mandatory guidelines to prevent custodial violence and protect the rights of arrested individuals, which were later codified.

55. Civil Surgeon shall refer unsound minded person to a clinical Psychologist / Psychiatrist However by virtue of Section ....the aggrieved accused may prefer appeal before Medical Board consisting of head of Psychiat1ry and faculty of Medical College.
(A) Section 328
(B) Section 328 (1-A)
(C) Section 328 (2)
(D) Section 346

Ans :

(B) Section 328 (1-A)
Explanation: Section 328(1-A) of the Criminal Procedure Code provides this specific right of appeal. While the court can refer an accused for psychological or psychiatric examination under Section 328(1), sub-section (1-A) explicitly grants the aggrieved accused the right to appeal the resulting opinion to a statutorily constituted Medical Board for a second opinion.

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56. Rashtriya Swasthya Bima Yojna is mainly meant to serve the needs of
(A) Organized workers
(B) Unorganized workers
(C) Unorganized sector workers belonging to BPL category and their family members
(D) Organized sector workers belonging to BPL category and their family members

Ans :

(C) Unorganized sector workers belonging to BPL category and their family members
Explanation: The Rashtriya Swasthya Bima Yojana (RSBY), launched by the Ministry of Labour and Employment, Government of India, was a health insurance scheme specifically targeting Below Poverty Line (BPL) families in the unorganized sector. The scheme aimed to provide financial protection against catastrophic health costs by offering cashless hospitalization for specified ailments.

57. Equal pay for equal work for both men and women is proclaimed under of the Constitution of India.
(A) Article 39 (a)
(B) Article 39 (d)
(C) Article 39 (b)
(D) Article 39(c)

Ans :

(B) Article 39 (d)
Explanation: Article 39(d) of the Constitution of India, which is a part of the Directive Principles of State Policy, directs the State to secure that there is equal pay for equal work for both men and women. While not directly enforceable in courts, this principle has been pivotal in shaping labour laws and judicial interpretations concerning wage discrimination.

58. was a leading case on the point as to whether an employer has a right to deduct wages unilaterally and without holding an enquiry for the period the employees go on strike or resort to go slow-
(A) Bank of India vs. T.S. Kelawala and others
(B) Randhirsingh vs. Union of India
(C) Kamani Metals and Alloys Ltd. vs. Their workmen
(D) Workmen vs. Reptakos Brett and Co. Ltd.

Ans :

(A) Bank of India vs. T.S. Kelawala and others
Explanation: In Bank of India vs. T.S. Kelawala, the Supreme Court held that wages are paid for work done under the principle of "no work, no pay." The court ruled that an employer has the right to deduct wages for the period employees are on an illegal strike, and this deduction can be made without conducting a formal domestic enquiry.

59. Where any workman is suspended by the employer pending investigation or inquiry into complaints or charges of misconduct against him, the employer shall pay to such workman subsistence allowance. This provision was inserted in the Industrial Employment (Standing Orders) Act, 1946 in which year -
(A) 1992
(B) 1982
(C) 2009
(D) 2010

Ans :

(B) 1982
Explanation: Section 10-A, which provides for the payment of subsistence allowance to a suspended workman, was inserted into the Industrial Employment (Standing Orders) Act, 1946, by the Amendment Act of 1982. This provision ensures that a workman has a means of livelihood during the period of suspension while an inquiry is pending.

60. What is the period of limitation to file a suit for compensation for false imprisonment?
(A) 2 years
(B) 3 years
(C) 12 years
(D) 1 year

Ans :

(D) 1 year
Explanation: According to Article 74 of the Schedule to the Limitation Act, 1963, the period of limitation for filing a suit for compensation for false imprisonment is one year. The time from which this period begins to run is when the imprisonment ends, allowing the aggrieved person a year from their release to initiate legal action.

61. was a leading case on the point as to whether an employer has a right to deduct wages unilaterally and without holding an enquiry for the period the employees go on strike or resort to go slow-
(A) Bank of India vs. T.S. Kelawala and others
(B) Randhirsingh vs. Union of India
(C) Kamani Metals and Alloys Ltd. vs. Their workmen
(D) Workmen vs. Reptakos Brett and Co. Ltd.

Ans :

(A) Bank of India vs. T.S. Kelawala and others
Explanation: In the case of Bank of India vs. T.S. Kelawala, the Supreme Court addressed this issue. It held that wages are paid for the performance of work. Based on the principle of "no work, no pay," the court concluded that an employer is entitled to deduct wages for the period of an illegal strike without a formal enquiry.

62. As per Section 19 of the Limitation Act, 1963 if any payment is made on account of a debt, before the expiration of the prescribed period by the person liable to pay the debt or by his agent duly authorized in that behalf a fresh period of limitation starts running from the
(A) Time when suit was filed
(B) When the payment was made
(C) When the creditor demands
(D) None of the above

Ans :

(B) When the payment was made
Explanation: Section 19 of the Limitation Act, 1963, deals with the effect of payment on account of a debt or of interest on a legacy. It provides that if a payment is made before the limitation period expires, a fresh period of limitation shall be computed from the time when the payment was made, effectively renewing the limitation period.

63. The... Guidelines constitute one of the most comprehensive CSR tools available to companies.
(A) OECD
(B) OACF
(C) OECG
(D) ASEAN

Ans :

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(A) OECD
Explanation: The OECD (Organisation for Economic Co-operation and Development) Guidelines for Multinational Enterprises are a comprehensive set of government-backed recommendations on responsible business conduct. They provide non-binding principles and standards for corporate social responsibility (CSR) in a global context, covering areas like human rights, employment, environment, and anti-corruption, making them a key CSR tool.

64. Conditions of Hindu Marriage have been laid down under..... of Hindu Marriage Act.
(A) Section 9
(B) Section 10
(C) Section 5
(D) Section 13

Ans :

(C) Section 5
Explanation: Section 5 of the Hindu Marriage Act, 1955, explicitly lays down the conditions for a valid Hindu marriage. These conditions include requirements regarding monogamy, mental capacity, age of the parties, and the degree of prohibited relationship. A marriage that violates these conditions may be void or voidable, depending on the specific condition breached.

65. Gloucstershire Grammar School Case is a leading case to explain the
(A) Volenti non fit injuria
(B) Injiria non fit volenti
(C) Damnum sine injuria
(D) Injuria sine dammum

Ans :

(C) Damnum sine injuria
Explanation: The Gloucester Grammar School case is the classic illustration of the legal maxim 'damnum sine injuria', which means damage without legal injury. In this case, a new school was set up near an existing one, causing financial loss to the old school. The court held that no legal right was violated, as lawful competition is not actionable.

66. The Hindu Succession (Amendment) Act, 2005 -
(A) Allows daughters of the deceased equal rights with daughter
(B) Allows sons of the deceased equal rights with widows
(C) Allows daughters of the deceased equal rights with wife
(D) Allows daughters of the deceased equal rights with sons

Ans :

(D) Allows daughters of the deceased equal rights with sons
Explanation: The Hindu Succession (Amendment) Act, 2005, was a landmark reform in Hindu personal law. It amended Section 6 of the principal act to grant daughters the same rights in coparcenary property as sons. This means a daughter of a coparcener becomes a coparcener by birth in her own right, just like a son.

67. Under the Companies Act, 2013, any company having a net worth of rupees 500 crore or more or a turnover of rupees 1,000 crore or more or a net profit of rupees 5 crore or more should mandatorily spend ..... of their net profits per fiscal on Corporate Social Responsibility activities.
(A) 3%
(B) 5%
(C) 10%
(D) 2%

Ans :

(D) 2%
Explanation: Section 135 of the Companies Act, 2013, mandates Corporate Social Responsibility (CSR). It requires companies that meet the specified financial thresholds (net worth, turnover, or net profit) to spend at least two percent (2%) of their average net profits made during the three immediately preceding financial years on CSR activities.

68. The Fuller / Hart Debate could be summarized as a debate between which two jurisprudential approaches/ positions.
(A) Positivism and utilitarianism
(B) Natural Law and Positivism
(C) Positivism and Liberalism
(D) Marxism and liberal feminism

Ans :

(B) Natural Law and Positivism

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Explanation: The famous Hart-Fuller debate is a cornerstone of legal philosophy, representing the classic clash between legal positivism and natural law theory. H.L.A. Hart, a positivist, argued for the separation of law and morality, while Lon L. Fuller, a natural law theorist, contended that law must have an inherent "internal morality" to be considered valid law.

69. In bailment if the goods are lent free of cost to the bailee for his use it is known as bailment by-
(A) Deposition
(B) Pledge
(C) Commodation
(D) None of the above

Ans :

(C) Commodation
Explanation: This type of bailment is known as 'Commodatum' or an accommodation bailment. It is a gratuitous bailment where goods are lent by the bailor to the bailee for the bailee's use without any charge. The benefit in this arrangement is exclusively for the bailee, and it requires a high standard of care from them.

70. Where the proposal and acceptance is through letters, the contract is made at the place where-
(A) The acceptance is received
(B) The letter of acceptance is posted
(C) Both the above answers
(D) None of the above

Ans :

(B) The letter of acceptance is posted
Explanation: According to the postal rule of acceptance, as established in cases like Adams v. Lindsell and recognized under the Indian Contract Act, 1872, the contract is concluded at the place where the letter of acceptance is posted. At that moment, the acceptance is considered communicated and binding on the proposer.

71. All contracts which are unlawful and void are known as-
(A) Illegal contracts
(B) Nugatory contract
(C) Voidable contracts
(D) None of the above

Ans :

(A) Illegal contracts
Explanation: Contracts that are unlawful and void are termed illegal contracts. An illegal contract is one that the law forbids to be made. While all illegal agreements are void, not all void agreements are necessarily illegal. An illegal agreement is void ab initio and any collateral transactions to it are also tainted with illegality.

72. Cancellation of crossing is also called-
(A) Marking
(B) Opening of crossing
(C) Cancellation
(D) None of the above

Ans :

(B) Opening of crossing
Explanation: Opening the crossing on a cheque is the act of cancelling the crossing. This is typically done by the drawer of the cheque by writing "Pay Cash" and signing it. This action nullifies the instruction to pay the cheque only through a bank account, making it payable over the counter, similar to an open or bearer cheque.

73. Section of the Negotiable Instruments Act deals with noting
(A) Section 100
(B) Section 101
(C) Section 102
(D) Section 99

Ans :

(D) Section 99
Explanation: Section 99 of the Negotiable Instruments Act, 1881, deals with the process of "noting." When a promissory note or bill of exchange has been dishonoured by non-acceptance or non-payment, the holder may cause such dishonour to be noted by a notary public upon the instrument, or upon a paper attached thereto, or partly upon 2each.

74. Rabindra Kumar Pal @ Dara Singh vs. Republic of India a famous case coming under Section 30 of Evidence Act is also well known as
(A) Graham Stains Murder Case
(B) Graham Bells Murder case
(C) Graham Street's Murder case
(D) Graham Stoits Murder case

Ans :

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(A) Graham Stains Murder Case
Explanation: This case is widely known as the Graham Staines Murder Case. Rabindra Kumar Pal, also known as Dara Singh, was the prime accused in the tragic killing of Australian Christian missionary Graham Staines and his two sons in Odisha in 1999. The case involved the application of legal principles concerning conspiracy and confessions of co-accused.

75. Negotiable claim issued by a bank in return for a term deposit is called
(A) Share certificate
(B) Certificate of incorporation
(C) Certificate of deposit
(D) Term deposit

Ans :

(C) Certificate of deposit
Explanation: A Certificate of Deposit (CD) is a negotiable financial instrument issued by a bank as a receipt for funds deposited for a specified period at a specified rate of interest. Unlike a regular term deposit (Fixed Deposit), a CD is negotiable and can be traded in the secondary market before its maturity date.

76. Wager relate with -
(A) Present event
(B) Past event
(C) Future event
(D) Any of the above

Ans :

(C) Future event
Explanation: A wagering agreement, as defined under Section 30 of the Indian Contract Act, is a contract where two parties with opposing views on an uncertain future event agree that, depending on the outcome of that event, one will pay money or money's worth to the other. The core element is the uncertainty of a future event.

77. Statement by a person who is dead is a relevant fact under of the Indian Evidence Act.
(A) Section 32 (3)
(B) Section 32 (4)
(C) Section 32 (5)
(D) Section 32 (6)

Ans :

(C) Section 32 (5)
Explanation: Section 32(5) of the Indian Evidence Act makes relevant a statement made by a deceased person relating to the existence of any relationship by blood, marriage, or adoption. The statement is admissible only if it was made before the question in dispute was raised and was made by a person who had special means of knowledge on the subject.

78. A Charge Sheet filed under Section 173 of Cr.P.C. is an example of-
(A) Public document
(B) Private document
(C) Patent document
(D) Latent document

Ans :

(A) Public document
Explanation: A charge sheet, also known as the final report of the police, filed under Section 173 of the CrPC, is considered a public document. Under Section 74 of the Indian Evidence Act, 1872, public documents include documents forming the acts or records of the acts of public officers. A charge sheet falls squarely within this definition.

79. Procedure of investigation of criminal cases under the Criminal Procedure Code is contained in Chapter-
(A) Chapter XI
(B) Chapter XII
(C) Chapter X
(D) Chapter IX

Ans :

(B) Chapter XII
Explanation: Chapter XII of the Code of Criminal Procedure, 1973, titled "Information to the Police and their Powers to Investigate," contains the comprehensive procedure for criminal investigations. This chapter spans from Section 154 (FIR) to Section 176 (Inquiry by Magistrate into cause of death), covering all key aspects of the investigation process.

80. Identify the correct order in which the following law making treaties are concluded.
A The Vienna Convention on Consular Relations
B The General Agreement on Tariffs and

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the terms of the contract between the principal debtor and the creditor, without the surety's consent. This is because such a change alters the nature of the risk the surety originally agreed to undertake.

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(B) 1998
(C) 1996
(D) 2013

Ans :

(C) 1996
Explanation: The UNCITRAL Model Law on Electronic Commerce was adopted by the Commission on 12 June 1996. This Model Law was a pioneering effort to provide national legislators with a set of internationally acceptable rules to remove legal obstacles and create a more secure legal environment for electronic commerce, forming the basis for many countries' IT laws.

86. "Where a body corporate is negligent in implementing reasonable security practices and thereby causes wrongful loss or gain to any person, such body corporate shall be liable to pay damages by way of compensation to the person so affected." Which section of the Information Technology Amendment Act, 2008 envisages so?
(A) Section 43
(B) Section 43-A
(C) Section 43-B
(D) Section 43-C

Ans :

(B) Section 43-A
Explanation: Section 43A was inserted into the Information Technology Act, 2000, by the 2008 amendment. It specifically imposes liability on a body corporate for failing to implement and maintain reasonable security practices and procedures to protect sensitive personal data or information, leading to wrongful loss for any person. This section has since been replaced by provisions in the Digital Personal Data Protection Act, 2023.

87. Section of Information Technology Act, 2000 which was originally "Digital Signature" was renamed as in Information Technology (Amendment) Act, 2008.
(A) "Digital Signature and Electronic Signature"
(B) "Digital Signature and E-Signature"
(C) "Digital and Electronic Signature"
(D) None of the above

Ans :

(A) "Digital Signature and Electronic Signature"
Explanation: The Information Technology (Amendment) Act, 2008, made the legal framework for electronic signatures technology-neutral. It amended Section 3 of the original Act, replacing the term "Digital Signature" with "Electronic Signature," and also modified the heading of the relevant chapter to include both terms, thereby broadening the scope to include other reliable electronic authentication methods.

88. Section 43 of the Information Technology Act deals with-
(A) Criminal liability
(B) Civil liability
(C) Both the above
(D) None of the above

Ans :

(B) Civil liability
Explanation: Section 43 of the Information Technology Act, 2000, imposes civil liability in the form of damages by way of compensation. It applies to any person who, without permission of the owner, accesses or damages a computer, computer system, or network, or introduces contaminants or viruses. It provides a civil remedy for such unauthorized acts.

89. Which among the following are the digital signature certifying authorities in India?
(A) M/s. Safescript
(B) M/s NCERT
(C) M/s. MTL
(D) All the above

Ans :

(D) All the above
Explanation: In the context of the time this paper was set (around 2014), several entities were licensed as Certifying Authorities (CAs). Safescript (a brand of Sify Technologies) and (n)Code Solutions (a division of GNFC) were prominent CAs. MTL (Mahanagar Telephone Nigam Limited) was also a CA. Therefore, all mentioned entities (excluding NCERT which is a typo in the option) were recognized CAs at different points. Note: The provided answer key says (1), but multiple entities were CAs. Given the option "All the above", it is the most likely

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Trade
C The Declaration of Paris
(A) A, C, B
(B) C, B, A
(C) B, A, C
(D) A, B, C

Ans :

(B) C, B, A
Explanation: The correct chronological order is:
C The Declaration of Paris (1856) - Respecting Maritime Law.
B The General Agreement on Tariffs and Trade (GATT) (1947) - A legal agreement minimizing barriers to international trade.
A The Vienna Convention on Consular Relations (1963) - Defines a framework for consular relations between independent states.

81. "A State is and becomes and international person through recognition only and exclusively." Who stated this?
(A) L. Oppenheim
(B) Hobbes
(C) Fenwick
(D) Starke

Ans :

(A) L. Oppenheim
Explanation: This statement reflects the Constitutive Theory of Recognition in international law, of which Professor L. Oppenheim was a prominent proponent. According to this theory, the act of recognition by existing states is what creates or constitutes a new state, granting it personality and status in the international community. Without recognition, an entity lacks international legal standing.

82. Which one of the following doctrine requires that the parties to a treaty are bound to observe its terms in good faith?
(A) The Drago doctrine
(B) Right of asylum
(C) Doctrine of equality
(D) Pacta Sunt Servanda

Ans :

(D) Pacta Sunt Servanda
Explanation: 'Pacta Sunt Servanda' is a fundamental principle of international law, meaning "agreements must be kept." It is codified in Article 26 of the Vienna Convention on the Law of Treaties. This doctrine signifies that every treaty in force is binding upon the parties to it and must be performed by them in good faith.

83. The admission of a new political entity into the United Nations can be termed as
(A) Express recognition
(B) Conditional recondition
(C) Collective recondition
(D) De-facto recognition

Ans :

(C) Collective recondition
Explanation: Admission into the United Nations is considered a form of collective recognition. It signifies that the international community, through the UN as a body, has implicitly or collectively acknowledged the entity's statehood and its capacity to fulfill the obligations of the UN Charter. This carries significant weight in establishing its international personality. Note: The options have typos, but "Collective recondition" is the intended "Collective recognition."

84. General Assembly adopted the definition of word Aggression through
(A) Resolution 3314 XXIX, 1974
(B) Resolution 3312 XXXIX, 1973
(C) Resolution 2213,1982
(D) None of the above

Ans :

(A) Resolution 3314 XXIX, 1974
Explanation: The UN General Assembly adopted the definition of aggression in Resolution 3314 (XXIX) on December 14, 1974. This resolution provides a non-exhaustive list of acts that constitute aggression, such as invasion, armed attack, bombardment, and blockade, serving as a crucial guide for the Security Council in determining the existence of an act of aggression.

85. The United Nations Commission on International Trade Law (UNCITRAL) adopted the Model Law on e-commerce in
(A) 1997

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(D) None of these

Ans :

(C) House breaking
Explanation: According to the fourth clause of Section 445 of the IPC, house-breaking is committed if a person enters a house by opening any lock. Although Raman used the original key, the act of opening the lock for the purpose of committing house-trespass falls squarely within the definition of house-breaking, which is an aggravated form of criminal trespass.

96. Who among the following is not a 'public servant'?
(A) Liquidator
(B) A Civil Judge
(C) Secretary of a Co-operative Society
(D) None of these

Ans :

(C) Secretary of a Co-operative Society
Explanation: Section 21 of the IPC provides an exhaustive list of who constitutes a 'public servant'. A Civil Judge and a Liquidator are included within this definition. However, the Secretary of a Co-operative Society is not listed and has been judicially held not to be a public servant for the purposes of the IPC, unless specified by another statute.

97. The Sampoorna Grameen Rozgar Yojana (Universal Rural Employment Programme) was launched in 2001 and was implemented through
(A) Labour offices
(B) Government
(C) Panchayati Raj Institutions
(D) All the above

Ans :

(C) Panchayati Raj Institutions
Explanation: The Sampoorna Grameen Rozgar Yojana (SGRY) was a centrally sponsored scheme launched in September 2001. Its primary objective was to provide additional wage employment and food security in rural areas. The program was implemented through the Panchayati Raj Institutions (PRIs), empowering local governance bodies in the planning and execution of developmental works.

98. A law which violates fundamental rights is not nullity or void-ab-initio but becomes only unenforceable, this doctrine is called as
(A) Doctrine of severability
(B) Doctrine of 3 points
(C) Tornado doctrine
(D) Doctrine of eclipse

Ans :

(D) Doctrine of eclipse
Explanation: The Doctrine of Eclipse states that a pre-constitutional law that is inconsistent with Fundamental Rights is not completely dead but becomes dormant or overshadowed (eclipsed). It is rendered unenforceable against citizens. If the constitutional prohibition is removed by a subsequent amendment, the law can become operative and enforceable again without needing to be re-enacted.

99. Which one of the following is covered under the definition of State
(A) The Indian Statistical Institute
(B) Indian Council of Agricultural Research
(C) Sainik School Society
(D) NCERT

Ans :

(D) NCERT
Explanation: Under Article 12 of the Constitution, the term 'State' includes bodies that are agencies or instrumentalities of the government. The Supreme Court has held that the National Council of Educational Research and Training (NCERT) falls within this definition due to its composition, governmental control, and the nature of its functions, which are of public importance.

100. The surety 'stands discharged by'
(A) Death
(B) Revocation
(C) Variance in the terms of the contract without his consent
(D) None of the above

Ans :

(C) Variance in the terms of the contract without his consent
Explanation: According to Section 133 of the Indian Contract Act, 1872, a surety is discharged from their liability if any variance is made in

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correct choice if multiple options are valid. Editor's Note: The question likely has errors; however, interpreting the intent points towards multiple valid authorities.

90. Doctrine of election is based on the foundation that a person taking the benefit of an instrument must-
(A) Not bear the burden
(B) Burden is the subject of election
(C) Burden is not the subject of election
(D) Bear the burden

Ans :

(D) Bear the burden
Explanation: The doctrine of election, embodied in Section 35 of the Transfer of Property Act, is based on the equitable principle that one cannot "approbate and reprobate." It means that a person who accepts a benefit under a deed or instrument must also accept its obligations or burdens. One cannot take the favourable parts and reject the unfavourable ones.

91. R obtained a sum of Rs. 50,000/- from D by putting D in fear of death. Here, R commits-
(A) Extortion
(B) Cheating
(C) Mischief
(D) Robbery

Ans :

(A) Extortion
Explanation: The offence committed is extortion, as defined under Section 383 of the IPC. R intentionally put D in fear of injury (death) and dishonestly induced D to deliver property (Rs. 50,000). All the essential elements of extortion are satisfied. It would be robbery if the fear was of instant death and the act was committed in D's presence.

92. Whoever causes bodily pain, disease or infirmity to any person is said to have inflicted on the victim.
(A) Grievous hurt
(B) Hurt
(C) Assault
(D) None of the above

Ans :

(B) Hurt
Explanation: This is the precise legal definition of "hurt" as provided in Section 319 of the Indian Penal Code, 1860. The section states: "Whoever causes bodily pain, disease or infirmity to any person is said to cause hurt." Grievous hurt, defined in Section 320, involves more severe forms of injury.

93. defined crime as "a violation of public rights and duties due to the whole community considered as community".
(A) Blackstone
(B) Justice Bhagwati
(C) V.R. Krishnayer
(D) Lord Heward

Ans :

(A) Blackstone
Explanation: Sir William Blackstone, in his "Commentaries on the Laws of England," provided this classic definition of crime. He distinguished crimes from civil injuries by emphasizing their public nature, defining a crime as a public wrong that affects the whole community, as opposed to a private wrong that harms an individual.

94. Personation at Election is an of ace under Section..... of the Indian Penal Code.
(A) Section 124-A
(B) Section 121-A
(C) Section 153-B
(D) Section 171-D

Ans :

(D) Section 171-D
Explanation: Section 171-D of the Indian Penal Code, 1860, specifically defines the offence of personation at an election. It states that whoever at an election applies for a voting paper or votes in the name of any other person, whether living or dead, or in a fictitious name, commits this offence.

95. Raman having found a key of Raju's house which Raju had lost, commits house trespass by entering Raju's house after opening the door with that key, Raman has committed the offence of-
(A) House trespass
(B) Criminal trespass
(C) House breaking

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ALL INDIA BAR EXAMINATION VI

1. The Criminal Procedure Code ensures that
(A) Principle of separation of powers of each of the State is not breached
(B) Principle of combined of powers of each limb of the State is not breached.
(C) (1) and (2)
(D) Principle of separation of powers of each limb of the State is breached.

Ans :

(A) Principle of separation of powers of each of the State is not breached
Explanation: The Code of Criminal Procedure, 1973, is structured to ensure a separation of powers between the judiciary and the executive. It clearly demarcates the functions of investigation (police/executive) and trial (judiciary). This separation is a fundamental principle aimed at ensuring fairness, impartiality, and preventing the concentration of power.

2. Section 6 of the Cr.P.C. defines?
(A) Classes of Criminal Courts
(B) Classes of District Courts
(C) Classes of Municipal Courts
(D) Classes of Civil Courts

Ans :

(A) Classes of Criminal Courts
Explanation: Section 6 of the Code of Criminal Procedure, 1973, explicitly lists the classes of Criminal Courts that shall exist in every state, besides the High Courts and courts constituted under other laws. These classes are Courts of Session, Judicial Magistrates of the first class and Metropolitan Magistrates, Judicial Magistrates of the second class, and Executive Magistrates.

3. When an offence is bailable:
(A) A person has no right to be released on bail upon arrest.
(B) A person has a right to be released on bail upon arrest.
(C) A right to be released is dependent on the exercise of judicial discretion.
(D) A person shall be released within 24 hours.

Ans :

(B) A person has a right to be released on bail upon arrest.
Explanation: For a bailable offence, the grant of bail is a matter of right, not discretion. As per Section 436 of the Cr.P.C., if a person accused of a bailable offence is arrested without a warrant, they are entitled to be released on bail upon furnishing the required security.

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4. As per section 273 of Cr.P.C., how evidence is to be taken?
(A) In the presence of accused.
(B) When personal attendance of the accused is dispensed with, in the presence of his pleader.
(C) In presence of police
(D) Both (1) and (2)

Ans :

(D) Both (1) and (2)
Explanation: Section 273 of the Cr.P.C. mandates that all evidence taken in the course of the trial shall be taken in the presence of the accused. However, the proviso to this section allows evidence to be taken in the presence of the accused's pleader if their personal attendance has been dispensed with.

5. If a woman sentenced to death is found to be pregnant, the High Court shall Order the execution of the sentence
(A) To be postponed.
(B) If thinks fit commute the sentence to imprisonment for life.
(C) Sent for medical assistance
(D) Non- Judicial mandate of powers.

Ans :

(B) If thinks fit commute the sentence to imprisonment for life.
Explanation: Section 416 of the Code of Criminal Procedure, 1973, specifically addresses

this situation. It mandates that if a woman sentenced to death is found to be pregnant, the High Court shall order the postponement of the execution of the sentence and may, if it thinks fit, commute the sentence to imprisonment for life.

6. Under which section of the Cr.P.C, the procedure when investigation cannot be completed within twenty-four hours has been described?
(A) Sec.165
(B) Sec. 167
(C) Sec. 166
(D) Sec. 164

Ans :

(B) Sec. 167
Explanation: Section 167 of the Cr.P.C. lays down the procedure to be followed when an investigation cannot be completed within 24 hours of a person's arrest. It requires the police to produce the accused before the nearest Judicial Magistrate, who can then authorize further detention in police or judicial custody for specified periods.

7. What is provided by the Code of Criminal Procedure 1973?
(A) The Code provides the procedure for the implementation of the criminal justice system
(B) It provides the mechanism for the investigation in to trial of offences
(C) The code provides the procedure for the implementation of the civil justice system.
(D) (1) and (2)

Ans :

(D) (1) and (2)
Explanation: The Code of Criminal Procedure, 1973, is the primary legislation that governs the procedural aspects of criminal law in India. It provides a comprehensive framework for the entire criminal justice system, including the investigation of crimes, the apprehension of suspects, the trial of offences, and the determination of guilt or innocence.

8. As per section 2(c) a cognizable offence is
(A) Where a police officer may arrest without warrant.
(B) Where a police officer may not arrest without warrant
(C) Where a police officer may arrest with permission of a court
(D) Any person in the public can arrest

Ans :

(A) Where a police officer may arrest without warrant.
Explanation: Section 2(c) of the Code of Criminal Procedure, 1973, defines a "cognizable offence" as an offence for which a police officer may, in accordance with the First Schedule or under any other law for the time being in force, arrest without a warrant. These are generally more serious offences.

9. Section 100 of the Cr.P.C. refers to
(A) Seizure
(B) Search
(C) Summons
(D) Search-warrants

Ans :

(B) Search
Explanation: Section 100 of the Cr.P.C. lays down the procedure for searches of closed places. It obligates the person in charge of a closed place to allow free ingress to a police officer executing a search warrant and to afford all reasonable facilities for a search therein. It also requires the presence of independent witnesses.

10. Is there any maximum period for which an under-trial can be detained under Section 436. A of the Cr.P.C.,
(A) Yes, half of the Maximum period of imprisonment specified for that offence
(B) No period is prescribed
(C) Court can decide
(D) Maximum 90 days

Ans :

(A) Yes, half of the Maximum period of imprisonment specified for that offence
Explanation: Section 436A of the Cr.P.C. provides for a maximum period of detention for an under-trial prisoner. It states that if an under-trial has been detained for a period extending up to one-half of the maximum period of imprisonment specified for that offence, they shall be released by the court on a personal bond.

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11. Presumption of law is
(A) Discretionary and rebuttable
(B) Mandatory and rebuttable
(C) Mandatory and irrebuttable
(D) All of the above

Ans :

(C) Mandatory and irrebuttable
Explanation: Presumptions of law can be either rebuttable (praesumptio juris) or irrebuttable/ conclusive (praesumptio juris et de jure). An irrebuttable presumption is a rule of law that a court must mandatorily accept as true, and no evidence can be introduced to rebut it. An example is the presumption under Section 82 of the IPC regarding a child under seven.

12. In Selvi's case, the Supreme Court of India examined the constitutionality of tests like Narco Analysis, Polygraph and Brain Mapping on the touchstones of
(A) Art. 20(3) and Art. 21
(B) Art. 21 and Art. 23(2)
(C) Art 23 and Art. 21
(D) Art. 20(2) and Art. 20(1)

Ans :

(A) Art. 20(3) and Art. 21
Explanation: In Selvi & Ors vs. State of Karnataka, the Supreme Court held that the compulsory administration of narcoanalysis, polygraph, and brain-mapping tests violates the right against self-incrimination under Article 20(3) of the Constitution. The Court also ruled that it intrudes upon an individual's mental privacy, which is an integral aspect of personal liberty under Article 21.

13. According to the Law Commission of India 69th Report, S.27 of the Indian Evidence Act is based on the
(A) Doctrine of introspection
(B) Doctrine of testimonial incrimination
(C) Doctrine of confirmation
(D) None of the above

Ans :

(C) Doctrine of confirmation
Explanation: Section 27 of the Evidence Act is an exception to the rule against admissibility of confessions made to police. It is based on the 'doctrine of confirmation by subsequent events'. The principle is that if a fact is discovered as a result of information given by an accused, the discovery of that fact confirms the truth of the information.

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14. S.99 of the Indian Evidence Act says persons who are not parties to a document or their representatives in interest may give evidence of any facts tending to show a contemporaneous agreement varying the terms of the document. This is based on the principle
(A) Pacta tertii nec nocent nec prosunt
(B) Pacta sunt servanda
(C) Action personalis moriturcum persona
(D) None of the above

Ans :

(A) Pacta tertii nec nocent nec prosunt
Explanation: This Latin maxim means "agreements of third parties neither harm nor benefit." Section 99 allows a person who is not a party to a document (a third party) to introduce evidence to vary its terms. This is because the rule excluding parol evidence to contradict a document (Sections 91-92) applies only to the parties themselves.

15. Burden of proving that person is alive who has not been heard of for seven years is on whom
(A) One who denies it
(B) One who affirms it
(C) Any third person/stranger
(D) None of the above

Ans :

(B) One who affirms it
Explanation: This is governed by Sections 107 and 108 of the Indian Evidence Act. Section 108 creates a presumption of death for a person not heard of for seven years. Consequently, the burden of proving that the person is alive shifts to the person who asserts or affirms that they are alive.

16. The Court's discretion to permit leading questions is confined only to matters which are
(A) Introductory facts.
(B) Undisputed facts
(C) Facts already sufficiently proved to the satisfaction of the court
(D) All the above

Ans :

(D) All the above
Explanation: Under Section 142 of the Indian Evidence Act, leading questions cannot be asked in examination-in-chief or re-examination without the court's permission. The court generally permits such questions for matters that are introductory, undisputed, or have already been sufficiently proved, as they help expedite the trial without causing prejudice.

17. The question is whether A murdered B. Marks on the ground, produced by a struggle at or near the place where the murder as committed, are relevant facts under
(A) S.7
(B) 5.6
(C) 5.8
(D) S.11

Ans :

(A) S.7
Explanation: Section 7 of the Indian Evidence Act makes relevant any facts which are the occasion, cause, or effect of the facts in issue. The marks on the ground are the 'effect' of the struggle, which is directly connected to the 'fact in issue' (the murder). Therefore, they are relevant under this section.

18. S.93 of the Indian Evidence Act treats the patent ambiguity as
(A) Curable
(B) Incurable
(C) Proper
(D) None of the above

Ans :

(B) Incurable
Explanation: Section 93 of the Evidence Act deals with patent ambiguity, which is an ambiguity that is apparent on the face of the document. The section explicitly states that evidence may not be given of facts which would show the meaning or supply the defect. Thus, a patent ambiguity is considered incurable by extrinsic evidence.

19. A promise or set of promises forming consideration to each other is known as
(A) Proposal
(B) Consideration
(C) Agreement
(D) Contract

Ans :

(C) Agreement
Explanation: According to Section 2(e) of the Indian Contract Act, 1872, "Every promise and every set of promises, forming the consideration for each other, is an agreement." An agreement is the foundation of a contract, which becomes enforceable by law when it meets other conditions like free consent, lawful object, etc.

20. A past consideration under Indian Law
(A) Invalid
(B) Valid
(C) Void
(D) Voidable

Ans :

(B) Valid
Explanation: Unlike English law, Indian law recognizes past consideration. Section 2(d) of the Indian Contract Act defines consideration using the words "has done or abstained from doing," which explicitly includes past acts. Therefore, an act done at the promisor's request before the promise is made can constitute valid consideration for that promise.

21. Caveat emptor means
(A) Purchaser beware
(B) Seller beware
(C) Things outside commerce
(D) A warning letter

Ans :

(A) Purchaser beware
Explanation: "Caveat emptor" is a Latin maxim that translates to "let the buyer beware." It is a fundamental principle in the law of sale of goods, implying that the buyer is responsible for checking the quality and suitability of goods before making a purchase. The seller is not obligated to disclose all defects, subject to certain exceptions.

22. Consensus ad idem means
(A) Good faith
(B) Opinion of third parties
(C) Opinion of the offeree
(D) Meeting of the minds

Ans :

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(D) Meeting of the minds
Explanation: "Consensus ad idem" is a Latin term that means "meeting of the minds." It is an essential element for the formation of a valid contract. It signifies that all parties to the contract have a common understanding and have agreed to the same terms, conditions, and subject matter in the same sense.

23. Agreement in restraint of marriage is
(A) Contingent contract
(B) Wager
(C) Void
(D) Valid

Ans :

(C) Void
Explanation: According to Section 26 of the Indian Contract Act, 1872, every agreement in restraint of the marriage of any person, other than a minor, is void. The law considers marriage a fundamental social institution and holds that any agreement that unreasonably restricts an adult's freedom to marry is against public policy.

24. A tells B, the shopkeeper, "Give Z the Goods, I will see you paid" this contract is
(A) Bailment
(B) Agency
(C) Guarantee
(D) Indemnity

Ans :

(D) Indemnity
Explanation: This statement constitutes a primary and independent liability, not a secondary one. A is not promising to pay if Z defaults, but is making a direct promise to pay. This is a contract of indemnity, where A (the indemnifier) promises to save B (the indemnified) from the loss caused by A's own conduct.

25. A contract to perform the promise or discharge the liability of a third person in case of his default is a contract of
(A) Guarantee
(B) Default
(C) Indemnity
(D) Partnership

Ans :

(A) Guarantee
Explanation: This is the precise definition of a "contract of guarantee" as provided in Section 126 of the Indian Contract Act, 1872. In such a contract, a person (the surety) promises to discharge the liability of a third person (the principal debtor) to another person (the creditor) in case of the principal debtor's default.

26. "He who does an act through another, does it himself" is a contract of
(A) Sale
(B) Purchase
(C) Agency
(D) Partnership

Ans :

(C) Agency
Explanation: This statement is based on the Latin maxim "Qui facit per alium facit per se," which is the foundational principle of the law of agency. It means that the acts of an agent, performed within the scope of their authority, are considered the acts of the principal, making the principal legally responsible for them.

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27. When at the desire of the promisor, the promise or any other person has done or abstained from doing something or does or abstains from doing something or promises to do or abstain from doing something, such act or abstinence or promise is called a
(A) Proposal
(B) Consideration
(C) Acceptance
(D) Agreement

Ans :

(B) Consideration
Explanation: This is the verbatim definition of "consideration" as given in Section 2(d) of the Indian Contract Act, 1872. It encapsulates the idea that consideration is something of value given by the promisee or a third party at the request of the promisor, and it can be a past, present, or future act or forbearance.

28. X owes Y Rs.20, 000 but this debt is barred by Limitation Act. X executes a written promise to pay B Rs.15, 000 on account of debt. This is
(A) Invalid
(B) Void

(C) Valid
(D) Voidable

Ans :

(C) Valid
Explanation: This scenario is a direct application of Section 25(3) of the Indian Contract Act, 1872. This section provides an exception to the rule that an agreement without consideration is void. A written and signed promise to pay a time-barred debt is enforceable, and in this case, it creates a valid and binding contract.

29. When a negotiable instrument is delivered conditionally or for a special purpose as a collateral security or for safe custody only, and not for the purpose of transferring absolutely property therein, it is called
(A) Fictitious Bill
(B) Inchoate instrument
(C) Escrow
(D) Clean Bill

Ans :

(C) Escrow
Explanation: An escrow refers to a written instrument, like a deed or a bill, which is delivered to a third person to be held until the fulfillment of a specified condition. In the context of negotiable instruments, it signifies a conditional delivery where the property in the instrument does not pass until the condition is met.

30. Which one of the following is a promissory note when A signs the instrument?
(A) I promise to pay B or order Rs. 10,000/- on demand
(B) Mr. B. I. Owe. You. Rs. 10,000/-
(C) I promise to pay B Rs. 10,000/- and such other sums which shall be due to him
(D) I promise to pay B on his request Rs. 10,000/- on the death of X

Ans :

(A) I promise to pay B or order Rs. 10,000/- on demand
Explanation: A promissory note must contain an unconditional undertaking to pay a certain sum of money. Option (A) is an unconditional promise to pay a certain sum. Option (B) is a mere acknowledgement of debt. Option (C) is for an uncertain sum. Option (D) has an uncertain condition ("on his request").

31. Transfer of Property Act applies to transfers
(A) By partition in a joint family
(B) Inter vivos
(C) Both between animate and inanimate objects
(D) Between living and non-living persons

Ans :

(B) Inter vivos
Explanation: The Transfer of Property Act, 1882, primarily governs transfers "inter vivos," which is a Latin term meaning "between living persons." Section 5 of the Act defines "transfer of property" as an act by which a living person conveys property to one or more other living persons. It does not apply to transfers by operation of law or testamentary succession.

32. A transfer's property of which he is the owner to B in trust for A and his intended wife successively for their lives, and, after the death of the survivor, for the eldest son of the intended marriage for life, and after his death for A's second son. The interest so created for the benefit of the eldest son
(A) Does not take effect
(B) Takes effect
(C) Partially takes effect
(D) None of the above

Ans :

(A) Does not take effect
Explanation: This transfer violates the rule against perpetuity under Section 13 of the Transfer of Property Act. An interest cannot be created for an unborn person (the eldest son) for their life only. The interest must be the whole of the remaining interest of the transferor. Since only a life interest is given, the transfer to the eldest son is void.

33. A transfer of an interest in specific immoveable property for the purpose of securing the payment of money advanced or to be advanced by way of loan, an existing or future debt, or the performance of an engagement which may give rise to a pecuniary liability is called
(A) Sale
(B) Gift

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(C) Mortgage
(D) Lease

Ans :

(C) Mortgage
Explanation: This wording is the legal definition of a mortgage as provided in Section 58(a) of the Transfer of Property Act, 1882. A mortgage is not an absolute transfer of ownership but a transfer of an interest in specific immovable property as security for the repayment of a debt or the performance of an obligation.

34. A lease of immovable property from year to year, or for any term exceeding one year or reserving a yearly rent, can be made only by a
(A) Oral agreement
(B) Written agreement
(C) Partition
(D) Registered instrument

Ans :

(D) Registered instrument
Explanation: According to Section 107 of the Transfer of Property Act, 1882, a lease of immovable property for a term exceeding one year, or from year to year, or reserving a yearly rent, can only be made by a registered instrument. This requirement ensures proper documentation and public notice of such long-term interests in property.

35. Specific performance of contract can be ordered, at discretion of Court
(A) When the act agreed to be done is such that compensation in money for non-performance will not give sufficient relief
(B) When the act agreed to be done is such that compensation in money for non-performance will give sufficient relief
(C) Contract, performance of which involves a continuous duty, which Court cannot supervise
(D) Specific performance of contract of personal nature cannot be ordered.

Ans :

(A) When the act agreed to be done is such that compensation in money for non-performance will not give sufficient relief
Explanation: Under the Specific Relief Act, the discretionary remedy of specific performance is granted when monetary compensation is an inadequate remedy for the breach of contract. This is typically the case in contracts involving unique goods or immovable property, where the subject matter cannot be easily replaced, and damages would not provide sufficient relief.

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36. Under Section 9 of Specific Relief Act, the person against whom the relief is claimed may plead by way of defense any ground which is available to him
(A) Under law of trots
(B) Under any law relating to contracts
(C) Under IPC
(D) Under Cr.P.C.

Ans :

(B) Under any law relating to contracts
Explanation: Section 9 of the Specific Relief Act, 1963, deals with defenses respecting suits for relief based on contract. It explicitly states that the defendant may plead any ground which is available to him under any law relating to contracts. This allows the defendant to raise all valid contractual defenses, such as lack of capacity, fraud, or misrepresentation.

37. The following contract cannot be specifically enforced
(A) A contract the performance of which involves the performance of a continuous duty which the court cannot supervise.
(B) A contract the performance of which involves the performance of a continuous duty which the court can supervise.
(C) A Tort the discharge of which involves the performance of a continuous obligation
(D) A contract for the non-performance of which compensation is not adequate relief

Ans :

(A) A contract the performance of which involves the performance of a continuous duty which the court cannot supervise.
Explanation: Section 14(b) of the Specific Relief Act, 1963, lists contracts that cannot be specifically enforced. This includes a contract which is so dependent on the personal qualifications of the parties, or is otherwise of such a nature that the court cannot enforce specific performance of its material terms.

This is often interpreted to include contracts requiring continuous supervision.

38. A sells a TV to a minor, who pays for it by means of a cheque. A indorses that cheque to X. X takes it in good faith and for value. This Cheque was dishonoured on presentation. X can enforce payment of the cheque
(A) Against Minor
(B) Against Minor and A
(C) Against A only
(D) Cannot enforce against any body

Ans :

(C) Against A only
Explanation: Under Section 26 of the Negotiable Instruments Act, 1881, a minor can draw, indorse, deliver and negotiate an instrument, but they do not incur any liability on it. However, the instrument itself is not void. While the minor cannot be held liable, all other parties, including the indorser (A), remain liable to the holder in due course (X).

39. Who has the authority to prescribed qualifications and disqualifications for membership of a Bar Council?
(A) State Bar Councils
(B) Bar Council of India.
(C) Supreme Court of India
(D) Supreme Court Bar Association

Ans :

(B) Bar Council of India.
Explanation: The Bar Council of India holds the authority to make rules regarding the qualifications and disqualifications for membership of any Bar Council. This power is derived from the Advocates Act, 1961, which tasks the BCI with regulating the legal profession and setting standards for advocates and Bar Councils across the country.

40. Indian Council of Legal Aid and Advise v. BCI case deals with the issue of
(A) Prescribing pre-enrolment training for advocates
(B) Prescribing minimum qualification for an advocate
(C) Prescribing uniform attire for the advocates appearing in the court of law
(D) Prescribing age bar on enrolment of advocates

Ans :

(D) Prescribing age bar on enrolment of advocates
Explanation: In Indian Council of Legal Aid & Advice v. Bar Council of India, the Supreme Court struck down a rule made by the BCI that prescribed a maximum age limit of 45 years for enrolment as an advocate. The Court held that this rule was beyond the rule-making power of the BCI and was discriminatory and unreasonable.

41. For transfer of roll from one state to another, an application is made to the
(A) Bar Council of India
(B) State Bar council where one is enrolled
(C) State bar council where one seeks transfer
(D) High court of the state where one is enrolled

Ans :

(A) Bar Council of India
Explanation: According to Section 18 of the Advocates Act, 1961, if an advocate wishes to transfer their name from one State roll to another, they must make an application to the Bar Council of India. The BCI, after following the prescribed procedure, directs the removal of the advocate's name from the first roll and its entry into the other.

42. Which of the following committee's cannot be constituted by State Bar Council
(A) Special Committee
(B) Disciplinary Committee.
(C) Legal Aid Committee
(D) Legal Education Committee

Ans :

(D) Legal Education Committee
Explanation: Under the Advocates Act, 1961, the function of promoting legal education and laying down standards for it is vested in the Bar Council of India. The BCI constitutes a Legal Education Committee for this purpose. State Bar Councils are mandated to form Disciplinary and other committees, but not a Legal Education Committee with such powers.

43. In which year by an amendment of the Code of Civil Procedure Sec.89 has been included in

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the code, which gives importance to mediation, conciliation and arbitration.
(A) 2002
(B) 2004
(C) 2013
(D) 2012

Ans :

(A) 2002
Explanation: Section 89 was inserted into the Code of Civil Procedure by the CPC (Amendment) Act of 1999, and it came into force on July 1, 2002. This provision empowers courts to refer pending civil disputes to various Alternative Dispute Resolution (ADR) mechanisms, such as arbitration, conciliation, mediation, or judicial settlement through Lok Adalat.

44. Under THE ARBITRATION AND CONCILIATION ACT an arbitration agreement may be in the form of
(A) an arbitration clause in a contract only
(B) in the form of a separate agreement only
(C) an arbitration clause in a contract or in the form of a separate agreement
(D) commercial custom

Ans :

(C) an arbitration clause in a contract or in the form of a separate agreement
Explanation: Section 7 of the Arbitration and Conciliation Act, 1996, defines an "arbitration agreement." It explicitly states that such an agreement can be either in the form of an arbitration clause embedded within a larger contract or in the form of a completely separate, stand-alone agreement between the parties to refer their disputes to arbitration.

45. A decision by the arbitral tribunal that the contract is null and void shall
(A) Entail ipso jure the invalidity of the arbitration clause.
(B) Not entail ipso jure the invalidity of the arbitration clause.
(C) Entail defac to invalidity of the arbitration clause.
(D) None of the above

Ans :

(B) Not entail ipso jure the invalidity of the arbitration clause.
Explanation: This question pertains to the doctrine of severability or separability, which is a cornerstone of arbitration law, reflected in Section 16 of the Arbitration and Conciliation Act, 1996. The doctrine holds that an arbitration clause is a separate agreement from the main contract. Therefore, the invalidity of the main contract does not automatically invalidate the arbitration clause.

46. The arbitral tribunal shall not be bound by the
(A) Code of Civil Procedure, 1908 or the Indian Evidence Act, 1872
(B) The Indian Evidence Act, 1872.
(C) Code of Civil Procedure, 1908.
(D) None of the above

Ans :

(A) Code of Civil Procedure, 1908 or the Indian Evidence Act, 1872
Explanation: Section 19 of the Arbitration and Conciliation Act, 1996, explicitly provides that the arbitral tribunal is not bound by the strict rules of procedure laid down in the Code of Civil Procedure, 1908, or the rules of evidence contained in the Indian Evidence Act, 1872. This allows for a more flexible and efficient dispute resolution process.

47. Claim made by the defendant in a suit against the plaintiff
(A) Cross claim
(B) Cross suit
(C) Counter claim
(D) Cross decree

Ans :

(C) Counter claim
Explanation: A counterclaim, as provided under Order VIII Rule 6-A of the Code of Civil Procedure, 1908, is a claim made by the defendant against the plaintiff in the same suit. It is essentially a cross-action where the defendant seeks relief against the plaintiff, which can be adjudicated along with the plaintiff's original claim.

48. Interpleader suit is dealt with in which of the following sections of C.P.C.?
(A) Section 87

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(B) Section 88
(C) Section 89
(D) Section 90

Ans :

(B) Section 88
Explanation: Section 88 of the Code of Civil Procedure, 1908, contains the substantive provision for filing an interpleader suit. This type of suit is instituted by a person who holds property or money in which he claims no interest, but which is claimed by two or more other persons against each other.

49. As required by S.80 C.P.C, the suit can be instituted after the expiry of----- of notice
(A) 1 month
(B) 2 months
(C) 60 days
(D) 30 days

Ans :

(B) 2 months
Explanation: Section 80 of the Code of Civil Procedure mandates that no suit shall be instituted against the Government or a public officer in respect of any act done in their official capacity until the expiration of two months' notice in writing. This period is provided to give the government an opportunity to reconsider its position.

50. Under S.2 (2) of C.PC. Rejection of a plaint is
(A) Decree
(B) Deemed decree
(C) Cross decree
(D) Cross appeal

Ans :

(B) Deemed decree
Explanation: Section 2(2) of the Code of Civil Procedure defines a "decree." This definition explicitly includes the rejection of a plaint under Order VII Rule 11. Although it is not a formal adjudication of the dispute on merits, the law treats it as a decree for the purposes of finality and appeal, hence it is called a deemed decree.

51. Ratilal v. State of Bombay is a popular case on the point of
(A) Res judicata
(B) Res sub-judice
(C) Restitution
(D) Doctrine of Cy-pres

Ans :

(D) Doctrine of Cy-pres
Explanation: The case of Ratilal Panachand Gandhi v. State of Bombay is a landmark judgment concerning religious freedom and the management of religious endowments. The Supreme Court extensively discussed the doctrine of 'cy-près' in this case, which allows a court to apply the property of a charitable trust to a similar charitable purpose when the original purpose becomes impossible or impracticable.

52. Pick out the case u/S. 58 (1-A), in which arrest or detention in civil prison is not maintainable.
(A) A judgment debtor, where decretal amount does not exceed Rs. 5,000/-
(B) A judgment debtor where decretal amount is does not exceed Rs.2,500-
(C) A judgment debtor where decretal amount is does not exceed Rs.2000/-
(D) A judgment debtor where decretal amount is does not exceed Rs.1,000/-

Ans :

(C) A judgment debtor where decretal amount is does not exceed Rs.2000/-
Explanation: Section 58(1A) of the Code of Civil Procedure, 1908, explicitly states that no order for detention in a civil prison shall be made in execution of a decree where the total amount of the decree does not exceed two thousand rupees. This provision aims to prevent imprisonment for very small debts.

53. A precept seeks to of the judgement debtor.
(A) Attach the property
(B) Prevent alienation of property of the
(C) Prevent attachment and alienation
(D) None of the above.

Ans :

(B) Prevent alienation of property of the
Explanation: A precept, issued under Section 46 of the C.P.C., is an order by a court that passed a decree to another court to attach the property of the judgment debtor. Its primary purpose is to provide an interim attachment, thereby preventing the judgment debtor from alienating

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the property before the decree can be formally transferred for execution.

54. R.90 of Order 21 deals with
(A) Pre-sale illegalities committed in the execution
(B) Post-sale irregularities causing substantial injury to judgment debtor
(C) Both a and b
(D) None of the above.

Ans :

(B) Post-sale irregularities causing substantial injury to judgment debtor
Explanation: Order 21, Rule 90 of the C.P.C. allows an execution sale to be set aside on the ground of a material irregularity or fraud in publishing or conducting the sale. A crucial condition is that the applicant must prove they have sustained substantial injury as a direct result of such irregularity or fraud.

55. The place of suing in a suit for partition will be
(A) Court within whose jurisdiction the person is residing
(B) Court within whose jurisdiction the elder person of the family resides
(C) Court within whose jurisdiction the entire property of the family is situated.
(D) Court within whose jurisdiction the immovable property is situated

Ans :

(D) Court within whose jurisdiction the immovable property is situated
Explanation: According to Section 16 of the Code of Civil Procedure, 1908, suits for the partition of immovable property must be instituted in the court within the local limits of whose jurisdiction the property is situated. This rule ensures that disputes concerning immovable property are adjudicated by the court having territorial jurisdiction over it.

56. Appeal against a decree or order can be filed in a High Court within
(A) 60 days
(B) 30 days
(C) 90 days
(D) 91 days

Ans :

(C) 90 days
Explanation: According to Article 116 of the Schedule to the Limitation Act, 1963, the period of limitation for an appeal to a High Court from any decree or order passed by a subordinate court is ninety days from the date of the decree or order. For an appeal to any other court, the period is thirty days.

57. Where, before the expiration of the prescribed period for a suit or application in respect of any property or right, an acknowledgement of liability in respect of such property or right has been made in writing signed by the party against whom such property or right is claimed, or by any person through whom he derives his title or liability,
(A) a fresh period of limitation shall be computed from the time when the acknowledgement was so signed.
(B) limitation shall be computed from the time when originally the signature has been given
(C) a fresh period of limitation shall not be computed from the time when the acknowledgement was so signed.
(D) None of the above

Ans :

(A) a fresh period of limitation shall be computed from the time when the acknowledgement was so signed.
Explanation: This is the principle laid down in Section 18 of the Limitation Act, 1963. A valid acknowledgement of liability, made in writing and signed before the expiry of the limitation period, has the effect of starting a fresh period of limitation from the date on which the acknowledgement was signed.

58. The period of limitation for an action by a principal against his agent for movable property received by the latter and not accounted for is
(A) 12 years
(B) 3 years
(C) 5 years
(D) No limitation

Ans :

(B) 3 years
Explanation: According to Article 3 of the Schedule to the Limitation Act, 1963, the period

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Ans :

(C) 20 lakhs
Explanation: At the time this paper was set (2014), under the Consumer Protection Act, 1986, the pecuniary jurisdictions were: District Forum (up to ₹20 lakhs), State Commission (₹20 lakhs to ₹1 crore), and National Commission (above ₹1 crore). The question has options that do not reflect this structure well, but based on the provided answer key and common question patterns, the intended answer likely relates to the threshold between District and State commissions. Editor's note: The question and options are inconsistent with the law as it stood. As per the 2019 Act, the thresholds have changed significantly.

91. New states are created under
(A) Art. 3 of the Indian
(B) Art. 4 of the Indian Constitution
(C) Art.5 of the Indian Constitution
(D) Art. 370 of the Indian Constitution

Ans :

(A) Art. 3 of the Indian
Explanation: Article 3 of the Constitution of India empowers the Parliament to form a new State by separation of territory from any State or by uniting two or more States or parts of States. It also allows Parliament to increase or diminish the area of any State and to alter the boundaries or the name of any State.

92. Doctrine of pleasure with reference to civil servants is mentioned under
(A) Art. 311 of the Indian Constitution
(B) Art. 308 of the Indian Constitution
(C) Art. 301 of the Indian Constitution
(D) Art. 310 of the Indian Constitution

Ans :

(D) Art. 310 of the Indian Constitution
Explanation: The doctrine of pleasure, which means that civil servants hold office during the pleasure of the President or the Governor, is enshrined in Article 310 of the Constitution of India. However, this doctrine is not absolute and is subject to the procedural safeguards provided to civil servants under Article 311.

93. Right to know flows from one of these Articles of the Constitution
(A) Art. 15
(B) Art. 19
(C) Art. 20
(D) Art.23

Ans :

(B) Art. 19
Explanation: The Supreme Court of India has held in several judgments, such as State of U.P. v. Raj Narain, that the Right to Know or the Right to Information is an intrinsic part of the fundamental right to freedom of speech and expression guaranteed under Article 19(1)(a) of the Constitution.

94. Freedom of trade, commerce and intercourse throughout the territory of India is mentioned under
(A) Art. 19(1)(g)
(B) Art. 300-A
(C) Art. 301
(D) Art. 299

Ans :

(C) Art. 301
Explanation: Article 301 of the Constitution of India, located in Part XIII, explicitly states that "subject to the other provisions of this Part, trade, commerce and intercourse throughout the territory of India shall be free." This article guarantees the freedom of movement for trade and commerce across state borders within the country.

95. Passive euthanasia under certain circumstance is permissible - held in the case of
(A) Aruna Ramachandra Shanbaug Vs. Union of India
(B) Gian Kaur Vs State of Punjab
(C) State of Maharashtra Vs. Maruty Sripaty Dubal
(D) P. Rathinam Vs Union of India

Ans :

(A) Aruna Ramachandra Shanbaug Vs. Union of India
Explanation: In the landmark case of Aruna Ramachandra Shanbaug v. Union of India (2011), the Supreme Court of India legalized passive euthanasia. The Court laid down strict guidelines for its application, holding that it could be permitted for patients in a permanent

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and carries a higher punishment than simple extortion or the act of putting a person in fear of mere injury.

64. F invited C to have a fix of his heroin. Each filled his own syringe and injected each other several times one night. Next morning F died on the question of causation:
(A) C must be convicted of manslaughter
(B) must not be convicted of manslaughter
(C) C can be convicted for the possession of heroin only
(D) C is neither guilty of possessing heroin nor the death of F

Ans :

(B) must not be convicted of manslaughter
Explanation: In cases involving drug administration, the chain of causation is crucial. Based on principles established in cases like R v Kennedy (No 2) [UKHL], a person who supplies drugs is generally not guilty of manslaughter if the recipient voluntarily and freely self-administers the drug. The voluntary act of the deceased breaks the chain of causation.

65. Literally, mens rea means
(A) Guilty mind
(B) Guilty or a wrongful purpose
(C) Criminal intent, a guilty knowledge and wilfulness
(D) All of the above

Ans :

(D) All of the above
Explanation: "Mens rea" is a Latin term for "guilty mind" and is a fundamental component of criminal liability. It encompasses a spectrum of mental states, including intention, knowledge, recklessness, and negligence. All the options—guilty mind, wrongful purpose, criminal intent, guilty knowledge, and wilfulness—are different facets of the concept of mens rea.

66. In which of the following cases mens rea is not an essential ingredient for offences under:
(A) Revenue Acts.
(B) Public Nuisance
(C) Criminal case which are in summary mode
(D) All of these

Ans :

(D) All of these
Explanation: While mens rea is a general prerequisite for criminal liability, certain offences, known as strict liability offences, do not require a guilty mind. These are often created for public welfare. Offences under socio-economic legislation like Revenue Acts and offences of public nuisance are common examples where the act itself is sufficient for conviction, regardless of intent.

67. Actus non facit reum, nisi mens sit rea means?
(A) A deed, a material result of human conduct
(B) Putting to death
(C) The intent and act must both concur to constitute the crime.
(D) Un commended manner

Ans :

(C) The intent and act must both concur to constitute the crime.
Explanation: This Latin maxim is the cornerstone of criminal law. It translates to "an act does not make a man guilty unless his mind is also guilty." It establishes the two essential elements of a crime: the actus reus (the guilty act or physical element) and the mens rea (the guilty mind or mental element). Both must be present concurrently.

68. Cheating and thereby dishonesty inducing delivery of property, or the making alteration. or destruction of a valuable security is dealt under
(A) Section 417 IPC
(B) Section 418 IPC
(C) Section 419 IPC
(D) Section 420 IPC

Ans :

(D) Section 420 IPC
Explanation: Section 420 of the Indian Penal Code deals with the aggravated form of cheating. It specifically punishes the act of cheating and thereby dishonestly inducing the person deceived to deliver any property to any person, or to make, alter, or destroy the whole or any part of a valuable security.

69. Etymologically what is meant by Jurisprudence?
(A) Knowledge of law
(B) Science of law
(C) Science of origin

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of limitation for a suit by a principal against his agent for movable property received by the latter and not accounted for is three years. The time from which the period begins to run is when the account is, during the continuance of the agency, demanded and refused, or, where no such demand is made, when the agency terminates.

59. Which of following is a ground recognized under the Companies Act for automatic adjournment of the General Meeting.
(A) Absence of Chairman of the meeting
(B) Quorum of the meeting is not present
(C) Meeting is held at a place different from what was prescribed in the notice
(D) Death of any of the directors prior to the meeting

Ans :

(B) Quorum of the meeting is not present
Explanation: Under Section 103 of the Companies Act, 2013, if the quorum is not present within half-an-hour from the time appointed for holding a meeting of the company, the meeting shall stand adjourned to the same day in the next week at the same time and place, or to such other d1ate, time, and place as the Board may determine.

60. Which of the following meetings can be called by members
(A) Extra-ordinary General Meeting
(B) Annual General Meeting
(C) Statutory meeting
(D) Special meeting

Ans :

(A) Extra-ordinary General Meeting
Explanation: Under Section 100 of the Companies Act, 2013, members holding the requisite share capital have the right to requisition the Board of Directors to call an Extraordinary General Meeting (EGM). If the Board fails to do so within the stipulated time, the requisitionists themselves can proceed to call and hold the meeting.

61. Which of the following powers can be exercised by the Board of Directors without holding a meeting
(A) Power to issue debentures
(B) Power to invest funds of the company
(C) Power to make loans
(D) Power to appoint of additional director

Ans :

(D) Power to appoint of additional director
Explanation: While most significant powers of the Board must be exercised at a duly convened Board meeting, some powers can be exercised through a resolution by circulation as per Section 175 of the Companies Act, 2013. However, certain specified powers, such as issuing debentures, borrowing money, and making loans or investments, cannot be passed by circulation and require a formal meeting. Appointing an additional director is not on this restricted list.

62. Which of following is not a ground for compulsory winding up of a company
(A) Non-holding of annual general meeting
(B) Oppression of minority
(C) Loss of substratum
(D) Losses to the company

Ans :

(A) Non-holding of annual general meeting
Explanation: The grounds for compulsory winding up by the Tribunal are listed in Section 271 of the Companies Act, 2013. While grounds like the company acting against the interests of the nation, fraudulent affairs, or failure to file financial statements for five consecutive years are included, mere non-holding of an annual general meeting is not a specified ground for compulsory winding up.

63. Putting or attempting to put a person in fear of death or grievous hurt in order to commit extortion is dealt under
(A) Section 385 IPC
(B) Section 386 IPC
(C) Section 387 IPC
(D) Section 388 IPC

Ans :

(C) Section 387 IPC
Explanation: Section 387 of the Indian Penal Code specifically deals with the act of putting, or attempting to put, any person in fear of death or of grievous hurt, in order to commit extortion. This offence is an aggravated form of extortion

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(B) The Hindu Succession (Amendment) Act, 2005
(C) The Hindu Succession (Amendment) Act, 2006
(D) The Hindu Succession (Amendment) Act, 2012

Ans :

(B) The Hindu Succession (Amendment) Act, 2005
Explanation: The Hindu Succession (Amendment) Act, 2005, was a landmark piece of legislation that brought about gender equality in ancestral property rights. It amended Section 6 of the Hindu Succession Act, 1956, to grant daughters of a coparcener the status of a coparcener by birth, giving them equal rights and liabilities in coparcenary property as sons.

75. Shamim Ara v State of U.P. relates to
(A) The condition precedent for a Muslim husband for rendering divorce is the pronouncement of divorce which has to be proved on evidence
(B) Option of puberty
(C) Guardianship in Marriage
(D) Dower

Ans :

(A) The condition precedent for a Muslim husband for rendering divorce is the pronouncement of divorce which has to be proved on evidence
Explanation: In the landmark case of Shamim Ara v. State of U.P., the Supreme Court held that for a talaq (divorce) to be valid, it must be pronounced. The mere pleading of a past talaq in a written statement is not sufficient proof. The pronouncement must be for a reasonable cause and be preceded by attempts at reconciliation, and it must be proven in evidence.

76. The provision under the Industrial Disputes Act, 1947 which guarantees the right of workmen laid-off to claim for compensation
(A) S.25-C
(B) S. 26
(C) S.25-0
(D) S.25-A

Ans :

(A) S.25-C
Explanation: Section 25-C of the Industrial Disputes Act, 1947, provides for the right of workmen who have been laid-off to receive compensation. It specifies that a workman with one year of continuous service is entitled to compensation equivalent to fifty percent of their basic wages and dearness allowance for the period of the lay-off.

77. The number of persons required to form trade union
(A) 6
(B) 7
(C) 8
(D) 9

Ans :

(B) 7
Explanation: According to Section 4 of the Trade Unions Act, 1926, a Trade Union can be registered if, on the date of making the application, it consists of at least seven members. This is the minimum number of persons required to subscribe their names to the rules of the Trade Union and apply for its registration.

78. The temporary closing of the work place or suspension of the work at work place by the employer is known as
(A) Lay off
(B) Lock out
(C) Retrenchment
(D) None of the above

Ans :

(B) Lock out
Explanation: This is the definition of a "lock-out" as provided in Section 2(l) of the Industrial Disputes Act, 1947. It is a temporary measure used by an employer and is defined as the temporary closing of a place of employment, the suspension of work, or the refusal by an employer to continue to employ any number of persons employed by him.

79. Which of the following acts has a direct relevance for grievance handling practices?
(A) The Industrial Disputes Act
(B) Factories Act
(C) The Industrial Employment (Standing Order) Act
(D) all the above

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Ans :

(D) all the above
Explanation: All the mentioned acts have provisions relevant to grievance handling. The Industrial Disputes Act provides for grievance settlement machinery. The Industrial Employment (Standing Orders) Act requires companies to have defined procedures for disciplinary action. The Factories Act contains provisions for worker welfare and safety, which are often sources of grievances.

80. Section 10A of the Industrial disputes Act refers to
(A) Voluntary reference of disputes to arbitration
(B) Definition of Workman
(C) Definition of industry
(D) Appeals

Ans :

(A) Voluntary reference of disputes to arbitration
Explanation: Section 10A of the Industrial Disputes Act, 1947, provides a mechanism for the voluntary reference of industrial disputes to arbitration. It allows the employer and the workmen to agree, by a written agreement, to refer their dispute to an arbitrator or arbitrators for adjudication, making the process a voluntary alternative to adjudication by a Labour Court or Tribunal.

81. 'Wages' under Workmen's Compensation Act
(A) Includes any privilege or benefit which is capable of being estimated in money
(B) Does not include any privilege or benefit which is capable of being estimated in money
(C) Includes any privilege or benefit which is not capable of being estimated in money
(D) None of the above

Ans :

(A) Includes any privilege or benefit which is capable of being estimated in money
Explanation: Under the Employee's Compensation Act, 1923 (formerly the Workmen's Compensation Act), the definition of "wages" in Section 2(1)(m) is inclusive. It specifically includes any privilege or benefit which is capable of being estimated in money, other than certain specified exclusions like travelling allowances or contributions to a pension fund.

82. Writ of Certiorari is issued against
(A) Lower courts or quasi-judicial bodies
(B) Public Officials
(C) Wrongful confinement
(D) Usurpation of public office

Ans :

(A) Lower courts or quasi-judicial bodies
Explanation: The writ of certiorari is a judicial remedy issued by a higher court (Supreme Court or High Court) to a lower court, tribunal, or quasi-judicial authority. Its purpose is to quash an order or decision made by such body when it has acted without jurisdiction, in excess of its jurisdiction, or in violation of the principles of natural justice.

83. Audi Alteram Partem means
(A) Bias
(B) Hear the other side
(C) No one can be a judge in his own case
(D) None of the above

Ans :

(B) Hear the other side
Explanation: "Audi alteram partem" is a Latin maxim that means "hear the other side" or "let the other side be heard as well." It is a fundamental principle of natural justice, requiring that no person should be judged without a fair hearing in which they are given the opportunity to respond to the evidence and arguments against them.

84. The Second Administrative Reforms Commission is constituted
(A) 31st August 2004
(B) 31st August 2006
(C) 31st August 2005
(D) 31st August 2007

Ans :

(C) 31st August 2005
Explanation: The Second Administrative Reforms Commission (ARC) was constituted by the Government of India on 31 August 2005. Chaired by Veerappa Moily, the commission was tasked with preparing a detailed blueprint for

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revamping the public administrative system to make it more efficient, accountable, and citizen-centric. It submitted a series of comprehensive reports.

85. The type of damages awarded in the law of torts
(A) Liquidated Damages
(B) Unliquidated damages
(C) Penal damages
(D) Exemplary damages

Ans :

(B) Unliquidated damages
Explanation: A key feature of tort law is that it provides for unliquidated damages. This means the amount of compensation is not pre-determined by the parties but is assessed and determined by the court based on the nature and extent of the harm suffered by the plaintiff. Liquidated damages, in contrast, are pre-agreed amounts found in contract law.

86. Ashby v White is an example of
(A) Damnum sine injuria
(B) Uberremifide
(C) Injuria sine damnum
(D) Usufruct

Ans :

(C) Injuria sine damnum
Explanation: The case of Ashby v. White is the classic illustration of the maxim 'injuria sine damno', which means legal injury without actual damage. In this case, a qualified voter was wrongfully prevented from voting. Even though the candidate he wanted to vote for won, the court held that the violation of his legal right to vote was actionable in itself.

87. The Supreme Court of India invoked the principle of absolute liability on an enterprise carrying on business with hazardous and inherently dangerous toxic chemicals in
(A) Ganga Pollution case
(B) Fletcher case
(C) Sri Ram Fertilizers case
(D) Prabhu dayal case

Ans :

(C) Sri Ram Fertilizers case
Explanation: The principle of absolute liability was laid down by the Supreme Court in the case of M.C. Mehta v. Union of India, which is also known as the Oleum Gas Leak Case or the Sri Ram Fertilizers case. The Court held that an enterprise engaged in hazardous activities has an absolute and non-delegable duty to ensure no harm results, and no exceptions are available.

88. Res ipsa loquitor - means
(A) Things speak for themselves
(B) Tithes imperiled
(C) Vicarious liability
(D) Dangerous animals

Ans :

(A) Things speak for themselves
Explanation: "Res ipsa loquitur" is a Latin maxim that translates to "the thing speaks for itself." In tort law, it is a doctrine of evidence where the mere occurrence of an accident implies negligence. The principle applies when the event is of a kind that does not ordinarily happen without negligence, and the defendant was in exclusive control of the object that caused the injury.

89. A motor cycle with engine capacity not exceeding 50cc may be driven in a public place by a person
(A) after attaining the age of sixteen years
(B) after attaining the age of eighteen years
(C) after attaining the age of fifteen years
(D) after attaining the age of twenty-one years

Ans :

(A) after attaining the age of sixteen years
Explanation: According to Section 4 of the Motor Vehicles Act, 1988, the minimum age for driving a motor vehicle in a public place is eighteen years. However, a specific exception is made for motorcycles with an engine capacity not exceeding 50cc, which can be driven by a person after attaining the age of sixteen years.

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90. According to Consumer protection Act, the National Commission shall have jurisdiction over complaints where the value of the goods or services and compensation, if any, claimed exceeds rupees
(A) 2 lakhs
(B) 10 lakhs
(C) 20 lakhs
(D) 50 lakhs

ALL INDIA BAR EXAMINATION V

1. Which are the provisions under Indian Evidence Act, 1872 that deals with relevancy of opinion of experts?
(A) Secs. 49 & 50
(B) Secs. 23 & 24
(C) Secs. 45 & 46
(D) Secs. 81 & 82

Ans :

(C) Secs. 45 & 46
Explanation: Section 45 of the Indian Evidence Act, 1872, allows the court to admit the opinion of an expert on matters of foreign law, science, art, or identity of handwriting or finger impressions. Section 46 further states that facts not otherwise relevant become relevant if they support or are inconsistent with the opinions of experts.

2. What persons may be charged jointly and tried together under Section 223 of CrPC.
(A) persons accused of the same offence committed in the course of the same transaction
(B) persons accused of an offence and persons accused of abetment of or attempt to commit such offence
(C) persons accused of different offences committed in the course of the same transaction
(D) all the above

Ans :

(D) all the above
Explanation: Section 223 of the Code of Criminal Procedure, 1973, provides several categories of persons who may be charged and tried together. This includes persons accused of the same offence in the same transaction, persons accused of an offence and its abetment or attempt, and persons accused of different offences committed in the same transaction.

3. Compensation to Victims of Crime under Criminal Law relates to -
(A) Section 336
(B) Section 331
(C) Section 335
(D) Section 357

Ans :

(D) Section 357
Explanation: Section 357 of the Code of Criminal Procedure, 1973, empowers a court imposing a sentence of fine to order that the fine, or a part of it, be paid as compensation to the victim for any loss or injury caused by the offence. It is a key provision for victim compensation within the criminal justice system.

4. Section 5 of the Limitation Act, 1963 enables the Court to condone delay in filling..... on sufficient satisfaction of sufficient cause.
(A) appeal or application
(B) appeal, suit and application
(C) appeal, petition and counter petition
(D) appeal, petition, suit and counter petition.

Ans :

(A) appeal or application
Explanation: Section 5 of the Limitation Act, 1963, allows for the extension of the prescribed period in certain cases if the appellant or applicant satisfies the court that they had "sufficient cause" for not preferring the appeal or making the application within such period. This provision explicitly applies to appeals and applications, but not to suits.

5. The provision under CPC that relates to suit by indigent persons-
(A) Order 32
(B) Order 34
(C) Order 35
(D) Order 33

Ans :

(D) Order 33
Explanation: Order XXXIII of the Code of Civil Procedure, 1908, contains the provisions relating

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vegetative state, subject to the approval of the High Court.

96. It was held by the Supreme Court that the balance between Fundamental Rights and Directive Principles of State Policy is the bedrock and the basic structure of the constitution in which case?
(A) Keshavanada Bharathi v State of Kerala
(B) Minerva Mills Vs. UOI
(C) Indira Nehru Gandhi v Rajnarain
(D) Kihota Hollohon v. Zachilhu

Ans :

(B) Minerva Mills Vs. UOI
Explanation: In the Minerva Mills Ltd. v. Union of India (1980) case, the Supreme Court held that the harmony and balance between Fundamental Rights and Directive Principles is an essential feature of the basic structure of the Constitution. The Court stated that to give absolute primacy to one over the other would disturb this constitutional harmony.

97. K. C. Gajapati Narayan Deo v. State of Orissa, is often quoted with reference to
(A) Doctrine of Eclipse
(B) Doctrine of severability
(C) Doctrine of colorable legislation
(D) Doctrine of territorial nexus

Ans :

(C) Doctrine of colorable legislation
Explanation: The case of K.C. Gajapati Narayan Deo v. State of Orissa is a leading authority on the doctrine of colorable legislation. This doctrine signifies that what cannot be done directly cannot be done indirectly. It is applied when a legislature, lacking the power to make a law on a particular subject, enacts it under the guise of a different law.

98. Raja Ram Pal v. Hon'ble Speaker, Lok Sabha deals with
(A) Presidents' election
(B) Privileges of the legislature
(C) Pardoning power
(D) Office of profit

Ans :

(B) Privileges of the legislature
Explanation: The case of Raja Ram Pal v. Hon'ble Speaker, Lok Sabha, famously known as the "cash for query" case, dealt with the scope of parliamentary privileges under Article 105 of the Constitution. The Supreme Court upheld the power of the Parliament to expel its members for misconduct, but affirmed that this power is subject to judicial review.

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99. Under Art. 1 of the Constitution, India that is Bharat shall be
(A) Federation of states
(B) Union of states
(C) Democratic republic
(D) Quasi federal

Ans :

(B) Union of states
Explanation: Article 1(1) of the Constitution of India declares, "India, that is Bharat, shall be a Union of States." The term "Union" was deliberately chosen over "Federation" by the Constituent Assembly to signify that the Indian Union is not the result of an agreement among the states, and the states have no right to secede from it.

100. A Minister ceases to hold office if he does not become a member of the Legislature within six months is mentioned under
(A) Art. 164 (4)
(B) Art. 164(1)
(C) Art. 164(2)
(D) Art. 164 (3)

Ans :

(A) Art. 164 (4)
Explanation: Article 164(4) of the Constitution of India contains this provision for State Ministers. It stipulates that a Minister who for any period of six consecutive months is not a member of the Legislature of the State shall at the expiration of that period cease to be a Minister. A similar provision exists for Union Ministers in Article 75(5).

(D) Knowledge of origin

Ans :

(A) Knowledge of law
Explanation: The term "Jurisprudence" is derived from the Latin words 'juris', meaning law, and 'prudentia', meaning knowledge or skill. Therefore, etymologically, jurisprudence means the knowledge of law or the skill in law. It is the study of the theory and philosophy of law, exploring its nature, sources, and purpose.

70. What is meant by the term 'General Law"?
(A) It consists of general ordinary law of the land.
(B) It consists of those legal rules which are taken judicial notice of by the court
(C) It consists of those bodies and legal rules which are exceptional in nature.
(D) (1) and (2)

Ans :

(D) (1) and (2)
Explanation: General Law refers to the ordinary law of the land, applicable to all persons and territories within a jurisdiction, as opposed to special laws that apply to specific groups or regions. Courts take judicial notice of these general laws, meaning they are accepted as fact without formal proof, as they constitute the common legal framework.

71. According to the theory of 'social utilitarianism' as propounded by Inhering:
(A) greatest number of people should get greatest pleasure
(B) the essential body of legal rules is always based upon the social "facts" of law
(C) a balance is to be struck between the competing interests in society
(D) law is a means to social ends

Ans :

(D) law is a means to social ends
Explanation: Rudolf von Jhering, a German jurist, is known for his theory of social utilitarianism. He viewed law not as an end in itself but as a means to an end. For Jhering, the purpose (or end) of law is to serve and protect the interests of society and to reconcile conflicting individual and social interests.

72. A is the mother of B. She becomes a widow and re-marries. B dies. Can A succeed to him as mother? (Both are Hindus)
(A) No
(B) Yes
(C) Depends on their School
(D) Only when B has no sons

Ans :

(B) Yes
Explanation: Under the Hindu Succession Act, 1956, the right of a mother to inherit from her son is absolute and is not contingent upon her marital status. A mother's subsequent remarriage does not divest her of her right to succeed to the property of her deceased child from a previous marriage. The kinship is by birth and remains unaffected.

73. Referring to Section 6 of Hindu Minority and Guardianship Act the Supreme Court observed that the words "after him "does not mean 'after the life time of the father'. Indeed, it means 'in the absence of. If the father is non-functional as guardian for various reasons like indifference, physical or mental incapacity, away from the place where the child lives with the mother, by mutual understanding, it may be treated as the 'absence' of the father. In which case?
(A) Lily Thomas case
(B) Sarla Mudgal case
(C) Githa Hariharan case
(D) Goverdhan Lal case

Ans :

(C) Githa Hariharan case
Explanation: This progressive interpretation of Section 6(a) of the Hindu Minority and Guardianship Act, 1956, was delivered by the Supreme Court in the case of Githa Hariharan v. Reserve Bank of India. The Court held that "after him" should be interpreted as "in the absence of," thereby allowing the mother to be the natural guardian even during the father's lifetime if he is absent or unable to act.

74. By a recent amendment the daughter of a coparcener by birth becomes a coparcener in her own right in the same manner as the son Which Amendment?
(A) The Hindu Succession (Amendment) Act, 2004

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to suits by indigent persons (formerly known as pauper suits). This order enables a person who does not have sufficient means to pay the prescribed court fees to file a suit without such payment, ensuring access to justice regardless of their financial status.

6. Where a party to a suit requires information as to facts from the opposite party, he may administer to his adversary a series of questions. It is called as-
(A) Question Petition
(B) Question pamphlet
(C) Interrogatories
(D) Discovery

Ans :

(C) Interrogatories
Explanation: This procedure is known as serving interrogatories, governed by Order XI of the Code of Civil Procedure, 1908. It is a pre-trial discovery tool where one party submits a written set of questions to the other party, who must answer them in writing and under oath. This helps in narrowing down the issues in dispute.

7. Limitation period prescribed in filling a suit by a mortgagor to recover possession of immovable property mortgaged
(A) 20 years
(B) 12 years
(C) 10 years
(D) 30 years

Ans :

(D) 30 years
Explanation: According to Article 61(a) of the Schedule to the Limitation Act, 1963, the period of limitation for a mortgagor to file a suit to redeem or recover possession of immovable property mortgaged is thirty years. The limitation period begins to run when the right to redeem or to recover possession accrues.

8. Who decides as to which of the several modes he/she will execute the decree
(A) Plaintiff
(B) Court
(C) Judgement debtor
(D) Decree holder

Ans :

(D) Decree holder
Explanation: The decree-holder, who is the party in whose favor a decree has been passed, has the right to choose the mode of execution. The court does not dictate the method. The decree-holder can opt for various modes like attachment and sale of property, arrest and detention of the judgment debtor, or appointment of a receiver.

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9. A teacher is not a workman falling under the category of Workman under Industrial Disputes Act, 1947: This was upheld in which case
(A) Miss A. Sundarambal vs. Government of Goa, Daman and Diu & others
(B) Ahmedabad Pvt. Primary Teachers' Association vs. Administrative Officer And Ors.
(C) University of Delhi vs. Ramnath
(D) Secretary, Madras Gym, khana Club Employees Union vs. Management of the Gymkhana.

Ans :

(A) Miss A. Sundarambal vs. Government of Goa, Daman and Diu & others
Explanation: In the case of A. Sundarambal v. Government of Goa, Daman & Diu, the Supreme Court held that a teacher is not a 'workman' within the meaning of Section 2(s) of the Industrial Disputes Act, 1947. The court reasoned that teaching is a noble profession and that a teacher's work is not manual, clerical, skilled, or unskilled labor.

10. Section 9 of the Hindu Marriage Act, 1955 deals with
(A) Restitution of Conjugal Rights
(B) Void Marriages
(C) Judicial Separation
(D) Grounds of Divorce

Ans :

(A) Restitution of Conjugal Rights
Explanation: Section 9 of the Hindu Marriage Act, 1955, provides the remedy of restitution of conjugal rights. This allows a spouse to file a petition in court when the other spouse has, without reasonable excuse, withdrawn from their society. If the court is satisfied, it may decree restitution of conjugal rights.

11. Original Jurisdiction of the Supreme Court is dealt under-
(A) Article 226
(B) Article 130
(C) Article 131
(D) Article 124

Ans :

(C) Article 131
Explanation: Article 131 of the Constitution of India confers original jurisdiction on the Supreme Court. This jurisdiction allows the Court to hear certain disputes in the first instance, specifically those between the Government of India and one or more States, or between two or more States, ensuring a neutral forum for resolving federal disputes.

12. The principal regulator envisaged under the Trade Unions Act, 1926-
(A) Regulator of trade unions
(B) Inspector of trade unions
(C) Registrar of trade unions
(D) Industrial relations committee

Ans :

(C) Registrar of trade unions
Explanation: The Trade Unions Act, 1926, provides for the appointment of a Registrar of Trade Unions by the appropriate Government for each state. The Registrar is the principal regulatory authority under the Act, responsible for the registration of trade unions, maintenance of registers, and ensuring compliance with the statutory provisions of the Act.

13. A person appointed by the Court to protect, preserve and manage the property during the pendency of the litigation
(A) Amicus curiae
(B) Preserver
(C) Protector
(D) Receiver

Ans :

(D) Receiver
Explanation: A Receiver is an impartial person appointed by the court to take possession of, manage, and preserve property that is the subject matter of a dispute, pending the litigation's final outcome. The provisions for the appointment of a receiver are contained in Order XL of the Code of Civil Procedure, 1908.

14. is a suit filed by or against one or more persons on behalf of themselves and others having the same interest in the suit.
(A) Joint suit
(B) Representative suit
(C) Collusive suit
(D) Collective suit.

Ans :

(B) Representative suit
Explanation: This describes a representative suit, also known as a class action suit, which is governed by Order I, Rule 8 of the Code of Civil Procedure, 1908. This provision allows one or more persons to sue or be sued on behalf of numerous persons who have the same interest in the suit, avoiding a multiplicity of proceedings.

15. Under Section 41 of the Specific Relief Act, an injunction cannot be granted
(A) to restrain in any person from instituting or prosecuting any proceeding in a Court not subordinate to that from which the injunction is sought
(B) to restrain any person from applying to any legislative, body
(C) to restrain any person from instituting or prosecuting any proceeding in a criminal matter
(D) all of the above

Ans :

(D) all of the above
Explanation: Section 41 of the Specific Relief Act, 1963, lists several circumstances where an injunction cannot be granted. All the situations mentioned in options (A), (B), and (C) are explicitly included in this list of prohibitions. The section aims to prevent judicial overreach and interference in the functions of other courts, legislative bodies, and criminal proceedings.

16. Obstructing Public Servant in discharge of his public functions is a
(A) non-bailable offence
(B) bailable offence
(C) civil wrong
(D) none of the above

Ans :

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(B) bailable offence
Explanation: The offence of voluntarily obstructing a public servant in the discharge of their public functions is defined under Section 186 of the Indian Penal Code, 1860. According to the First Schedule of the Code of Criminal Procedure, 1973, this offence is non-cognizable and bailable, meaning an accused has a right to be released on bail.

17. A contract made by a trustee in excess of his powers or in breach of trust cannot be specifically enforced as per
(A) Section 12
(B) Section 11 (2)
(C) Section 12 (2)
(D) Section 13.

Ans :

(B) Section 11 (2)
Explanation: Section 11(2) of the Specific Relief Act, 1963, explicitly states that a contract made by a trustee either in excess of their powers or in breach of the trust cannot be specifically enforced. This provision is designed to protect the interests of the beneficiaries of the trust from unauthorized actions by the trustee.

18. The type of disablement envisaged under the Employees Compensation Act that reduces the capacity to work in any employment similar to that the worker was performing at the time of the accident is referred to a-
(A) Permanent partial disablement
(B) Permanent total disablement
(C) Temporary disablement
(D) Temporary total disablement

Ans :

(A) Permanent partial disablement
Explanation: This description fits the definition of "permanent partial disablement" under Section 2(1)(g) of the Employee's Compensation Act, 1923. It refers to a permanent injury that reduces the employee's earning capacity in every employment which they were capable of undertaking at the time of the accident. The reduction in earning capacity is permanent.

19. It was held by the Supreme Court of India that preamble was not a part of the constitution in the case of ..... and this has been overruled in the case of.....
(A) In re: Berubari Union; Keshavananda Bharathi vs. State of Kerala
(B) A. K. Gopalan vs. State of Madras; Maneka Gandhi vs. Union of India
(C) Ajay Hasia vs. Khalid Mujib; Som Prakash vs. Union of India
(D) I.C. Golaknath vs. State of Punjab; Shankar Prasad vs. Union of India

Ans :

(A) In re: Berubari Union; Keshavananda Bharathi vs. State of Kerala
Explanation: In the Berubari Union case (1960), the Supreme Court held that the Preamble was not a part of the Constitution. However, this view was overruled in the landmark Kesavananda Bharati case (1973), where the Court held that the Preamble is an integral part of the Constitution and can be used to interpret ambiguous provisions.

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20. The Supreme Court in Selvi & Ors. vs. State of Karnataka held that compulsory brain-mapping and polygraph tests and NARCO analysis were in violation of the following Articles of the Constitution.
(A) Articles 23 and 24
(B) Articles 15 and 16
(C) Articles 29 and 30
(D) Articles 20 and 21

Ans :

(D) Articles 20 and 21
Explanation: In Selvi & Ors. v. State of Karnataka, the Supreme Court ruled that the involuntary administration of these tests violates the "right against self-incrimination" under Article 20(3). It also held that such tests are an intrusion into the mental privacy of an individual and thus violate the right to life and personal liberty guaranteed under Article 21.

21. Laws declared by the Supreme Court shall be binding on all Courts mentioned under
(A) Article 142
(B) Article 143
(C) Article 136
(D) Article 141

Ans :

Ans :

(B) 50
Explanation: At the time this examination was conducted (2013), the governing law was primarily the Companies Act, 1956. Under that Act, a private limited company was defined as one which, by its articles, limited the number of its members to fifty, excluding employees. This limit was later increased to 200 by the Companies Act, 2013.

33. The Second principle of Rule of Law (of A.V. Dicey) relates to
(A) Equal protection of the laws
(B) Equality before law
(C) Dignity of the individual
(D) Administrative Courts

Ans :

(B) Equality before law
Explanation: A.V. Dicey's concept of the Rule of Law has three main principles. The second principle is "Equality before the law," which means that no person is above the law and everyone, regardless of their rank or position, is subject to the ordinary law of the land and the jurisdiction of ordinary courts.

34. Consumer Protection Act was brought into operation in the year
(A) 1987
(B) 1986
(C) 1985
(D) 1984

Ans :

(B) 1986
Explanation: The Consumer Protection Act, a landmark legislation aimed at protecting the interests of consumers in India, was enacted by the Parliament in 1986. It provided for the establishment of consumer councils and other authorities for the settlement of consumers' disputes and for matters connected therewith, and came into force on December 24, 1986.

35. A seven-member bench of the Supreme Court unanimously struck down Clause 2(d) of Article 323-A and Clause 3 (d) of Article 323-B of the Constitution relating to tribunals which excluded the jurisdiction of High Court and Supreme Court. The court held that power of judicial review over legislative action is vested in the High Court under Article 226 and in the Supreme Court under Article 32. This is an integral part of the basic structure of the Constitution. Name the case
(A) L. Chandra Kumar vs. Union of India
(B) Kihota Hollohon vs. Zachilhu
(C) Nagaraj vs. State of A. P.
(D) Rajendra Singh Rana vs. Swami Prasad Maurya

Ans :

(A) L. Chandra Kumar vs. Union of India
Explanation: In the landmark case of L. Chandra Kumar v. Union of India (1997), a seven-judge bench of the Supreme Court struck down these clauses. The Court held that the power of judicial review vested in the High Courts under Article 226 and the Supreme Court under Article 32 is a part of the basic structure of the Constitution and cannot be ousted.

36. The contents of documents may be proved either by
(A) Primary evidence or by secondary evidence
(B) Direct evidence or circumstantial evidence
(C) Primary evidence or documentary evidence
(D) Primary evidence or direct evidence

Ans :

(A) Primary evidence or by secondary evidence
Explanation: According to Section 61 of the Indian Evidence Act, 1872, the contents of a document can be proved by either primary evidence or secondary evidence. Primary evidence, as defined in Section 62, means the document itself produced for the court's inspection. Secondary evidence, defined in Section 63, includes certified copies, copies made from the original, etc.

37. Oral accounts of the contents of a document given by some person who has himself if seen it is
(A) Direct evidence
(B) Best evidence
(C) Circumstantial evidence
(D) Secondary evidence

Ans :

(D) Secondary evidence

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shorter notice is permissible if consented to by a specified majority of members.

27. According to the theory of 'social utilitarianism' as propounded by Ihering
(A) greatest number of people should get greatest pleasure
(B) the essential body of legal rules is always based upon the social "facts" of law
(C) a balance is to be struck between the competing interests in society
(D) law is a means to social ends

Ans :

(D) law is a means to social ends
Explanation: Rudolf von Ihering, a prominent German jurist, is associated with the theory of social utilitarianism. He viewed law as an instrument for serving the needs of society. According to him, the purpose of law is to protect and further social interests, and thus, law is primarily a means to achieve social ends and resolve conflicting interests.

28. Mubara'at under Muslim law refers to
(A) Divorce at the instance of Wife
(B) Cruelty
(C) lla
(D) Dissolution of marriage with mutual consent

Ans :

(D) Dissolution of marriage with mutual consent
Explanation: Mubara'at is a form of divorce by mutual consent under Muslim personal law. It signifies a mutual release from the marital tie, where both husband and wife are desirous of the separation. Unlike 'khula', where the initiative comes from the wife, in 'mubara'at' the aversion is mutual, and both parties agree to dissolve the marriage.

29. The discriminatory aspects of Section 10 of Indian Divorce Act (now Divorce Act) was removed by substituting new section by the
(A) Indian Divorce (Amendment) Act, 2001
(B) Indian Divorce (Amendment) Act, 2002
(C) Indian Divorce (Amendment) Act, 2006
(D) Indian Divorce (Amendment) Act, 2012

Ans :

(A) Indian Divorce (Amendment) Act, 2001
Explanation: The Indian Divorce (Amendment) Act, 2001, was a significant reform that removed the discriminatory provisions of the original Act of 1869. It amended Section 10 to make the grounds for divorce equal for both men and women, removing the requirement for a wife to prove an additional ground like cruelty or desertion along with adultery.

30. Amalgamation of Companies in National Interest is dealt under
(A) Section 388 of the Companies Act
(B) Section 378 of the Companies Act
(C) Section 396 of the Companies Act
(D) Section 390 of the Companies Act

Ans :

(C) Section 396 of the Companies Act
Explanation: Section 396 of the Companies Act, 1956 (corresponding to Section 237 of the Companies Act, 2013), empowers the Central Government to order the amalgamation of two or more companies if it is satisfied that it is essential in the public interest. This is a compulsory amalgamation ordered by the government, distinct from voluntary mergers.

31. Under Consumer Protection Act, the jurisdiction of the District Forum should not exceed rupees
(A) Fifty Thousands
(B) One Lakh
(C) Twenty Five Thousands
(D) Twenty lakhs

Ans :

(D) Twenty lakhs
Explanation: Under the Consumer Protection Act, 1986, which was in force at the time of this exam, the pecuniary jurisdiction of the District Consumer Disputes Redressal Forum was for complaints where the value of the goods or services and the compensation claimed did not exceed twenty lakh rupees. This limit has since been revised by the 2019 Act.

32. A private limited company limits the number of members to
(A) 30
(B) 50
(C) 40
(D) 150

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grounds such as religion, race, place of birth, residence, or language, and doing acts that are prejudicial to the maintenance of harmony. It is a key provision aimed at curbing hate speech and preserving social harmony.

43. A debtor owes several distinct debts to the same creditor and he makes a payment which is insufficient to satisfy all the debts. In such a case, a question arises as to which particular debt the payment is to be appropriated. Which sections of the Contract Act provide an answer to this question?
(A) Sections 59 to 61
(B) Sections 22 of 31
(C) Sections 10 to 12
(D) Sections 55 to 60

Ans :

(A) Sections 59 to 61
Explanation: Sections 59 to 61 of the Indian Contract Act, 1872, lay down the rules for the appropriation of payments. Section 59 gives the debtor the right to specify which debt the payment should be applied to. If the debtor does not specify, Section 60 gives the creditor the discretion. If neither party appropriates, Section 61 states the payment shall be applied chronologically.

44. A obtains property from Z by saying "Your child is in the hands of my gang and will be put to death unless you send us Rs. 10,000/-. This offence is -
(A) Robbery
(B) Extortion
(C) Dacoity
(D) None of the above

Ans :

(B) Extortion
Explanation: This act constitutes the offence of extortion as defined under Section 383 of the Indian Penal Code. The essential elements are present: intentionally putting a person (Z) in fear of injury (death of the child) and thereby dishonestly inducing that person to deliver property (Rs. 10,000). The threat is not of immediate death, which distinguishes it from robbery.

45. A places men with firearms at the outlets of a building and tells B that they will fire at B if B attempts to leave the building. What is the offence committed by A as against B.
(A) Wrongful restraint
(B) Wrongful confinement
(C) Refusal to leave the place
(D) None of the above

Ans :

(B) Wrongful confinement
Explanation: This is an offence of wrongful confinement under Section 340 of the IPC. Wrongful confinement occurs when a person is wrongfully restrained in such a manner as to prevent them from proceeding beyond certain circumscribing limits. By blocking all exits, A has confined B within the building, which is more severe than simply restraining their path in one direction.

46. Adulteration of food or drink intended for sale is punishable under
(A) Section 227
(B) Section 272
(C) Section 277
(D) Section 273

Ans :

(B) Section 272
Explanation: Section 272 of the Indian Penal Code specifically punishes the act of adulterating any article of food or drink with the intention to sell it as food or drink, or knowing it is likely to be sold as such. The provision aims to protect public health by penalizing the deliberate contamination of consumables.

47. Voluntarily causing grievous hurt to deter public servant from his duty is
(A) Cognizable & non-bailabie offence
(B) Non cognizable & bailable offence
(C) Cognizable and bailable offence
(D) None of the above

Ans :

(A) Cognizable & non-bailabie offence
Explanation: This offence is defined under Section 333 of the Indian Penal Code. According to the First Schedule of the Code of Criminal Procedure, an offence under Section 333 is cognizable, meaning a police officer can arrest

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Explanation: Section 63(5) of the Indian Evidence Act, 1872, defines secondary evidence to include oral accounts of the contents of a document given by some person who has themselves seen that document. This is one of the recognized forms of secondary evidence, which can be used to prove the contents of a document under specific circumstances.

38. The gist of this offence is meeting of minds
(A) Section 120 - A
(B) Section 133
(C) Section 221
(D) Section 340

Ans :

(A) Section 120 - A
Explanation: Section 120-A of the Indian Penal Code defines the offence of criminal conspiracy. The essence, or "gist," of this offence is the agreement between two or more persons to do an illegal act or a legal act by illegal means. The mere agreement itself constitutes the offence, signifying a "meeting of minds" for a wrongful purpose.

39. "The DNA test cannot rebut the conclusive presumption envisaged under Section. 112 of the Indian Evidence Act. The parties can avoid the rigor of such conclusive presumption only by proving non- access which is a negati1ve proof." It was so held in which case
(A) Shaik Fakruddin vs. Shaik Mohammed Hasan, AIR 2006 AP 48
(B) Siddaramesh vs. State of Karnataka (2010) 3 SCC 152
(C) Kailash vs. State of Madhya Pradesh AIR 2007 SC 107
(D) Somwanti vs. State of Punjab. AIR 1963 SC 151

Ans :

(A) Shaik Fakruddin vs. Shaik Mohammed Hasan, AIR 2006 AP 48
Explanation: In this case, the Andhra Pradesh High Court held that the conclusive presumption of legitimacy under Section 112 of the Evidence Act cannot be rebutted by a DNA test. The Court emphasized that the only way to disprove paternity under this section is by providing strong and clear evidence of non-access during the period of conception.

40. The statements of dead persons are relevant under which provision
(A) Section 48
(B) Section 49
(C) Section 32
(D) Section 13 (3)

Ans :

(C) Section 32
Explanation: Section 32 of the Indian Evidence Act, 1872, deals with the relevancy of statements made by persons who are dead or cannot be found, among other conditions. It lists eight specific circumstances under which such statements, whether written or verbal, are considered relevant facts, the most famous being the dying declaration under Section 32(1).

41. "Witnesses are the eyes and ears of Justice." Whose statement is this
(A) Lord Atkin
(B) Bentham
(C) Lord Denning
(D) Phipson

Ans :

(B) Bentham
Explanation: Jeremy Bentham, the renowned English philosopher and jurist, is credited with this statement. He emphasized the crucial role of evidence and witnesses in the administration of justice. In his view, witnesses provide the sensory input (the eyes and ears) through which the court perceives the facts of a case to arrive at a just decision.

42. Promoting enmity between different groups on grounds of religion, race, place of birth, residence, language, etc. and doing acts prejudicial to maintenance of harmony is an offence under which provision of Indian Penal Code
(A) Section 120-A
(B) Section 120-B
(C) Section 153 - A
(D) Section 226

Ans :

(C) Section 153 - A
Explanation: Section 153-A of the Indian Penal Code, 1860, specifically criminalizes the act of promoting enmity between different groups on

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the major offence for which the accused was charged.

53. The essence of a contract of agency is the agent's
(A) Representative capacity coupled with a power to affect the legal relations of the principal with third persons
(B) Power and title to the property that is being dealt with'.
(C) Authority and status of dealing with the trade
(D) None of the above.

Ans :

(A) Representative capacity coupled with a power to affect the legal relations of the principal with third persons
Explanation: The core of an agency relationship is the agent's authority to act on behalf of the principal, thereby creating, modifying, or terminating the principal's legal relations with third parties. The agent acts in a representative capacity, and it is this power to legally bind the principal that defines the essence of agency.

54. "A Contract is an agreement between two or more persons which is intended to be enforceable at law and is contracted, by the acceptance by one party of an offer made to him by the other party to do or abstain from doing some act". - Whose statement is this?
(A) Halsbury
(B) Salmond
(C) Phipson
(D) Pollock

Ans :

(A) Halsbury
Explanation: This comprehensive definition of a contract, encompassing the elements of agreement, enforceability, offer, and acceptance, is famously attributed to Halsbury's Laws of England. It is a widely cited definition that succinctly captures the essential components required for the formation of a legally binding contract in common law jurisdictions.

55. A Delivery of goods by one person to another for some purpose upon a contract that they shall, when the purpose is accomplished, be returned or disposed of according to the directions of the person delivering them. What is the type of contract called us
(A) Indemnity
(B) Guarantee
(C) Bailment
(D) Pledge

Ans :

(C) Bailment
Explanation: This is the exact definition of a "bailment" as provided in Section 148 of the Indian Contract Act, 1872. It involves the delivery of goods by one person (the bailor) to another (the bailee) for a specific purpose, with the condition that the goods will be returned or disposed of as per the bailor's directions once the purpose is achieved.

56. A's nephew has absconded from his home. He sent his servant to trace his missing nephew. When the servant had left, A then announced that anybody who discovered the missing boy without knowing the reward. When the servant came to know about the reward, he brought an action against A to recover the same. But his action failed. It was held that the servant was not entitled to the reward because he did not know about the offer when he discovered the missing boy. Name the case on reading the facts.
(A) Lalman Shukla vs. Gauri Dutt
(B) Donogue vs. Stevenson
(C) Tweedle vs. Atkinson
(D) Dutton vs. Poole

Ans :

(A) Lalman Shukla vs. Gauri Dutt
Explanation: These facts precisely match the landmark case of Lalman Shukla v. Gauri Dutt. The Allahabad High Court held that for a valid contract to be formed, there must be knowledge of the offer and an acceptance of it. Since the servant found the boy without being aware of the reward (the offer), his act did not constitute an acceptance.

57. What property cannot be transferred under Section 6 of Transfer of Property Act, 1882
(A) An easement apart from the dominant heritage
(B) An interest in property restricted in its enjoyment to the owner personally
(C) A right to future maintenance, in whatsoever

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without a warrant, and it is non-bailable, meaning bail is not a matter of right and is granted at the court's discretion.

48. Which provision under the Code provides the indication as to the rule against double jeopardy?
(A) Section 300
(B) Section 309
(C) Section 305
(D) Section 311

Ans :

(A) Section 300
Explanation: Section 300 of the Code of Criminal Procedure, 1973, provides the procedural rule against double jeopardy, based on the principles of autrefois acquit (previously acquitted) and autrefois convict (previously convicted). It bars a second trial for the same offence after a person has been tried and convicted or acquitted by a competent court.

49. Which provision under Criminal Procedure Code, 1973 deals with the procedure to be adopted by the Magistrate, to record confessions and statements?
(A) Section 164
(B) Section 162
(C) Section 163
(D) Section 164-A

Ans :

(A) Section 164
Explanation: Section 164 of the Cr.P.C. specifically lays down the detailed procedure for recording confessions and statements by a Metropolitan or Judicial Magistrate. This includes giving statutory warnings to the accused that they are not bound to make a confession and that it may be used as evidence against them, ensuring the voluntariness of the statement.

50. Any police officer may without an order from a Magistrate and without a warrant, arrest any person who obstructs a police officer while in the execution of his duty, or who has escaped, or attempts to escape, from lawful custody under which section
(A) Section 41 (a)
(B) Section 41 (c)
(C) Section 41 (e)
(D) Section 41 (d)

Ans :

(C) Section 41 (e)
Explanation: Section 41(1)(e) of the Code of Criminal Procedure, 1973, empowers a police officer to arrest without a warrant any person who obstructs a police officer while in the execution of his duty, or who has escaped, or attempts to escape, from lawful custody. This ensures police can effectively carry out their duties and maintain custody.

51. The Plea Bargaining is applicable only in respect of those offences for which punishment of imprisonment is up to a period of
(A) 7 years
(B) 2 years
(C) 10 years
(D) 5 years

Ans :

(A) 7 years
Explanation: The provisions for plea bargaining, contained in Chapter XXIA of the Cr.P.C., are applicable to cases where the offence is punishable with imprisonment for a term not exceeding seven years. However, it does not apply to offences affecting the socio-economic condition of the country or those committed against a woman or a child below fourteen years.

52. "If an accused is charged of a major offence but is not found guilty thereunder, he can be convicted of minor offence, if the facts established indicate that such minor offence has been committed." It was so upheld in which case
(A) Sangarabonia Sreen vs. State of Andhra Pradesh
(B) State of Himachal Pradesh vs. Tara Dutta
(C) Shamsher Singh vs. State of Punjab
(D) Nalini vs. State of Tamilnadu.

Ans :

(B) State of Himachal Pradesh vs. Tara Dutta
Explanation: This principle, codified in Section 222 of the Cr.P.C., allows for the conviction of a minor offence when a major offence is charged but not proven. The Supreme Court, in cases like State of Himachal Pradesh v. Tara Dutta, has affirmed this rule, provided that the minor offence is completely encompassed within

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(D) Article 141
Explanation: Article 141 of the Constitution of India establishes the doctrine of precedent. It explicitly states that the law declared by the Supreme Court shall be binding on all courts within the territory of India. This ensures uniformity and certainty in the application of law throughout the country, making the Supreme Court's decisions the law of the land.

22. Specific relief can be granted only for the purpose of enforcing individual civil rights and not for the mere purpose of enforcing a penal law. Which provision brings in such prohibition?
(A) Section 4
(B) Section 5
(C) Section 7
(D) Section 10

Ans :

(A) Section 4
Explanation: Section 4 of the Specific Relief Act, 1963, clarifies the scope of the Act. It states that specific relief is granted for enforcing individual civil rights and not for the mere purpose of enforcing a penal law. This maintains the distinction between civil remedies, which are compensatory, and criminal law, which is punitive.

23. Justice Ramanandan Committee relates to-
(A) Union State relations
(B) Creamy layer
(C) Finance Commission
(D) Elections

Ans :

(B) Creamy layer
Explanation: Following the Supreme Court's judgment in the Indra Sawhney case (Mandal case), which upheld reservations for Other Backward Classes (OBCs) but recommended excluding the "creamy layer," the Justice Ramanandan Committee was appointed. Its purpose was to identify and specify the criteria for excluding the socially advanced persons/ sections from the benefits of reservation.

24. Equal pay for Equal work can be enforced through
(A) Article 39
(B) Articles 14 and 16
(C) Article 311
(D) Article 309

Ans :

(B) Articles 14 and 16
Explanation: Although the principle of "Equal Pay for Equal Work" is explicitly stated in Article 39(d) as a Directive Principle, it is not directly enforceable. However, the Supreme Court, in cases like Randhir Singh v. Union of India, has held that it is a constitutional goal that can be enforced by reading it into the fundamental rights of equality before law (Article 14) and equality of opportunity in public employment (Article 16).

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25. The executive power of every State shall be so exercised as to ensure compliance with the laws made by Parliament and any existing laws mentioned under
(A) Article 352
(B) Article 256
(C) Article 254
(D) Article 301

Ans :

(B) Article 256
Explanation: Article 256 of the Constitution of India deals with the administrative relations between the Union and the States. It obligates every State to exercise its executive power in such a way as to ensure compliance with the laws made by Parliament. This provision is crucial for maintaining the supremacy of Union laws throughout the country.

26. Under Section 171 of the Companies Act, a general meeting of a company may be called by giving a notice in writing for not less than
(A) 21 days
(B) 30 days
(C) 40 days
(D) 14 days

Ans :

(A) 21 days
Explanation: Section 101 of the Companies Act, 2013 (which corresponds to the older Section 171 of the 1956 Act), provides that a general meeting of a company may be called by giving not less than twenty-one clear days' notice either in writing or through electronic mode. A

manner arising, secured, or determined.
(D) All of the above.

Ans :

(D) All of the above.
Explanation: Section 6 of the Transfer of Property Act, 1882, lists several exceptions to the general rule that property of any kind may be transferred. All the items listed—an easement apart from the dominant heritage, a personally restricted interest, and a right to future maintenance—are explicitly mentioned in this section as non-transferable property.

58. Which provision of Hindu Marriage Act, 1955 deals with conciliation
(A) Section 23
(B) Section 23 (2)
(C) Section 23 (3)
(D) Section 22

Ans :

(B) Section 23 (2)
Explanation: Section 23(2) of the Hindu Marriage Act, 1955, imposes a duty on the court to make every endeavor to bring about a reconciliation between the parties before granting any relief in matrimonial proceedings under the Act. This provision underscores the importance of preserving the institution of marriage by attempting conciliation first.

59. Daughter is equated with the son references to joint family with property under
(A) Hindu Succession (Amendment) Act 2002
(B) Hindu Succession (Amendment) Act 1976
(C) Hindu Succession (Amendment) Act 1978
(D) Hindu Succession (Amendment) Act 2005

Ans :

(D) Hindu Succession (Amendment) Act 2005
Explanation: The Hindu Succession (Amendment) Act, 2005, was a landmark reform that granted daughters equal rights as sons in Hindu ancestral property. It amended Section 6 of the principal Act of 1956, making daughters coparceners by birth in a Hindu Undivided Family, thereby equating their status with that of sons regarding joint family property.

60. A transfers property, of which he is the owner, to B in trust for A and his intended wife successively for their lives, and, after the death of the survivor, for the eldest son of the intended marriage for life, and after his death for A's second son. Can the interest so created for the benefit of the eldest son take effect?
(A) Yes
(B) No
(C) It is a valid transfer
(D) None of the above

Ans :

(B) No
Explanation: This transfer is void with respect to the eldest son's interest due to the rule against perpetuity, as detailed in Section 13 of the Transfer of Property Act. An interest created for an unborn person must comprise the whole of the remaining interest of the transferor. Here, only a life interest is given, which is not permitted.

61. The commencement of arbitral proceedings is not dependant on interim relief being allowed or denied under Section 9 of the Arbitration and Conciliation Act, 1996. Supreme Court in which case held so
(A) Firm Ashok Traders & another vs. Gurumukh Das Saluja & others
(B) M.M.T.C Ltd vs. Sterile Industries (India) Ltd.
(C) National Thermal Power Corporation. vs. Flowmore (P.) Ltd.
(D) Magma Leasing Ltd. vs. NEPC Micon Ltd.

Ans :

(A) Firm Ashok Traders & another vs. Gurumukh Das Saluja & others
Explanation: In Firm Ashok Traders v. Gurumukh Das Saluja, the Supreme Court clarified the interplay between Section 9 (interim measures) and the commencement of arbitral proceedings. The Court held that a party can apply for interim relief under Section 9 even before the arbitral proceedings have commenced, and the disposal of this application is not a prerequisite for initiating arbitration.

62. Which section under the Civil Procedure Code, 1908 deals with the settlement of disputes outside the Court ?
(A) Section 98
(B) Section 99

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to presume that an accomplice is unworthy of credit unless corroborated. It is a rebuttable presumption that the court may or may not draw based on the facts.

92. Patent ambiguity in interpreting documents renders it.
(A) Curable
(B) In-curable
(C) Curable and incurable
(D) None of the above

Ans :

(B) In-curable
Explanation: A patent ambiguity is one that is apparent on the face of the document. According to Section 93 of the Indian Evidence Act, 1872, when the language used in a document is patently ambiguous or defective, evidence cannot be given to show its meaning or supply its defects. Therefore, it is considered incurable by external evidence.

93. "Provisions of Section 195 of the Code are mandatory and non. compliance of it would initiate the prosecution and all other consequential orders." In which case the Court upheld so
(A) C. Muniappan vs. State of Tamilnadu
(B) Kishun Singh vs. State of Bihar
(C) State of Karnataka vs. Pastor P. Raju.
(D) None of the above.

Ans :

(A) C. Muniappan vs. State of Tamilnadu
Explanation: In C. Muniappan & Ors. v. State of Tamil Nadu, the Supreme Court emphasized the mandatory nature of the procedure laid down in Section 195 of the Cr.P.C. The Court held that non-compliance with this section, which requires a written complaint by the concerned public servant or court for certain offences, vitiates the entire prosecution proceedings.

94. By the Constitution (97th Amendment) Act, 2011 the following word has been, inserted under Article 19(1)(c)
(A) Democratic Societies
(B) Registered Societies
(C) Co-operative Societies.
(D) Co-operative Management

Ans :

(C) Co-operative Societies.
Explanation: The 97th Constitutional Amendment Act of 2011 amended Article 19(1)(c) of the Constitution of India. It inserted the words "or co-operative societies" after the words "unions or associations." This amendment elevated the right to form co-operative societies to the status of a fundamental right, thereby promoting and protecting the cooperative movement.

95. Doctrine of Legitimate Expectation was discussed in the following case
(A) Ramkrishna Tendolkar VS. Justice Dalmia
(B) M. C. Mehta vs. Union of India
(C) State of U.P. vs. Deoman
(D) Food Corporation of India vs. M/s. Kamdhenu Cattle Feed Industries

Ans :

(D) Food Corporation of India vs. M/s. Kamdhenu Cattle Feed Industries
Explanation: In the case of Food Corporation of India v. M/s. Kamdhenu Cattle Feed Industries, the Supreme Court extensively discussed the Doctrine of Legitimate Expectation. The Court explained that it arises from a promise or a consistent past practice of a public authority, which a person can reasonably expect to continue, creating a basis for judicial review if the expectation is defeated without justification.

96. Natural law is the idea that
(A) there are rational objective limits to the power of legislative rulers.
(B) there are no limits to the power of legislative rulers.
(C) there are limits to the power of the executive laid by the legislature
(D) Law is the command of the sovereign

Ans :

(A) there are rational objective limits to the power of legislative rulers.
Explanation: Natural law theory posits that there is a higher law, based on morality, reason, or divine will, which is universal and unchanging. This higher law provides objective standards against which man-made (positive) laws can be judged. It implies that the power of a legislative ruler is not absolute and is limited by these rational, objective principles of justice.

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to pass, that what has been promised shall be performed: Whose statement is this?
(A) Lord Black
(B) Henderson
(C) Anson
(D) Salmond

Ans :

(C) Anson
Explanation: This statement, which captures the essence of contract law as a mechanism for enforcing promises and fulfilling reasonable expectations, is famously attributed to Sir William Anson. His treatise, "Anson's Law of Contract," is a classic text that has influenced legal thought on the subject for generations, emphasizing the principle of 'pacta sunt servanda' (agreements must be kept).

68. Raghav owes Murli Rs. 10,000/-. This debt is time barred by the Limitation Act. Even then Murli, promises in writing to pay Raghav Rs. 4,500/- on account of debt and signs the document. This contract is
(A) Enforceable
(B) Unenforceable
(C) Void
(D) None of the above

Ans :

(A) Enforceable
Explanation: This scenario is covered by the exception under Section 25(3) of the Indian Contract Act, 1872. A promise made in writing and signed by the person to be charged therewith, to pay a debt barred by the law of limitation, is a valid and enforceable contract, even though it is made without fresh consideration.

69. Intention not to create a legal obligation was clear from the conduct of parties which among the popular cases deals on the topic.
(A) Balfour vs. Balfour
(B) Donogue vs. Stevenson
(C) Derry vs. Peek
(D) Birch vs. Birch

Ans :

(A) Balfour vs. Balfour
Explanation: The case of Balfour v. Balfour is the leading authority on the principle that domestic or social agreements are generally not intended to create legal relations and are therefore not enforceable as contracts. The court held that the agreement between a husband and wife was a domestic arrangement, and the parties did not intend for it to be legally binding.

70. According to the Indian law in a lawful contract, consideration
(A) Must move from promises only
(B) May move from promise or any other person
(C) Is not necessary at all
(D) None of the above

Ans :

(B) May move from promise or any other person
Explanation: Unlike English Law, Indian contract law, as defined in Section 2(d) of the Indian Contract Act, 1872, allows consideration to move from the promisee "or any other person." This is known as the doctrine of "privity of consideration," meaning that as long as there is consideration for a promise, it does not matter who has furnished it.

71. An agency can be terminated by
(A) Agreement between parties
(B) By renunciation by the agent
(C) By completion of business of agency
(D) All the above.

Ans :

(D) All the above.
Explanation: The Indian Contract Act, 1872, provides for several modes of termination of an agency. These include revocation by the principal, renunciation by the agent, completion of the business of the agency, death or insanity of either party, and insolvency of the principal. All the given options are valid methods for terminating an agency relationship.

72. Which type of loss are not covered by a contract of indemnity
(A) Loss arising from accidents like fire or perils of the sea.
(B) Loss caused by the promisor himself or by a third person
(C) Loss arising by human agency
(D) None of the above

Ans :

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82. The three pillars on which foundation of every order of injunction rests
(A) Prima facie case, injury with damage and balance of inconvenience
(B) Prima facie case, reparable injury and balance of convenience
(C) Prima facie case, irreparable injury and balance of convenience
(D) Prima facie case, damage without injury and balance of convenience

Ans :

(C) Prima facie case, irreparable injury and balance of convenience
Explanation: For a court to grant a temporary injunction, the plaintiff must satisfy three essential conditions. These are: (1) establishing a prima facie case in their favour; (2) showing that they will suffer an irreparable injury which cannot be compensated by money if the injunction is not granted; and (3) proving that the balance of convenience lies in their favour.

83. is to enable subordinate Courts to obtain in non-appealable cases the opinion of the High Court in the absence of a question of law and thereby avoid the commission of an error which could not be remedied later on.
(A) Review
(B) Reference
(C) Appeal
(D) Revision

Ans :

(B) Reference
Explanation: This describes the process of Reference, provided for under Section 113 and Order XLVI of the Code of Civil Procedure. It allows a subordinate court, in certain non-appealable cases where it has a reasonable doubt on a question of law, to state a case and refer it for the opinion of the High Court.

84. Where an enterprise is engaged in a hazardous or inherently dangerous activity and harm results to anyone on account of an accident in the operation of such hazardous or inherently dangerous activity resulting, for example, in escape of toxic gas the enterprise is strictly and absolutely liable to compensate all those who are affected by the accident and such liability is not subject to any of the exceptions which operate vis-a-vis the tortuous principle of strict liability.-Held in the case of
(A) Francis Caroli vs. state
(B) Shriram food and fertilizers case
(C) PUCL vs. Union of India
(D) State of Punjab vs. Mahinder Singh Chawla

Ans :

(B) Shriram food and fertilizers case
Explanation: This principle of "absolute liability" was laid down by the Supreme Court of India in the case of M.C. Mehta v. Union of India, also known as the Shriram Food and Fertilizers or Oleum Gas Leak case. The Court evolved this doctrine from the rule of strict liability, removing the exceptions available under the older rule for enterprises engaged in hazardous activities.

85. Trading activities of a company were stopped temporarily in view of the trade depression with an intention to continue the same when the conditions improve. A petition was preferred into the Tribunal for winding up of the company. The petition
(A) Is liable to be dismissed
(B) will succeed
(C) will be kept pending till the conditions improve
(D) will not be admitted.

Ans :

(A) Is liable to be dismissed
Explanation: A temporary suspension of business due to external factors like a trade depression, with a clear intention to resume activities when conditions improve, is generally not considered a sufficient ground for a compulsory winding up order. The courts typically look for a definitive abandonment of the company's objects, not a temporary halt, before ordering it to be wound up.

86. "A tort is a civil wrong for which the remedy is an action for unliquidated damages and which is not exclusively the breach of a contract, or the breach of a trust, or the breach of other merely equitable obligation"- Whose Statement is this
(A) Winfield
(B) Salmond
(C) Pollock
(D) Griffith

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77. Where there are mutual debts between the plaintiff and the defendant, one debt may be settled against another. This can be a statutory defence to a plaintiffs action and it is called as
(A) Cross-claim
(B) Set-off
(C) Cross-demand
(D) Cross-decrees

Ans :

(B) Set-off
Explanation: This procedure is called a set-off, governed by Order VIII, Rule 6 of the Code of Civil Procedure, 1908. It allows a defendant in a suit for the recovery of money to claim that a certain ascertained sum of money is legally recoverable from the plaintiff, and this amount can be set off against the plaintiff's demand.

78. Which Section under the Advocates Act, 1961 deals with disqualification as to enrolment?
(A) Section 25-A
(B) Section 26-A
(C) Section 27-A
(D) Section 24-A

Ans :

(D) Section 24-A
Explanation: Section 24-A of the Advocates Act, 1961, lays down the conditions for disqualification from enrolment. It provides that no person shall be admitted as an advocate on a State roll if they have been convicted of an offence involving moral turpitude or an offence under the Untouchability (Offences) Act, subject to certain conditions and time limits.

79. Existence of two suits, by parties litigating under same title, one previously instituted which is pending at present and the other filed later, wherein a matter in issue in the subsequently filed suit is directly and substantially in issue in the other and the relief claimed in the subsequent suit can effectively be passed by the court of previous instance. Which section of CPC decides the fate of the subsequently filed suit and its proceeding?
(A) Section 11
(B) Section 9
(C) Section 10
(D) Section 12

Ans :

(C) Section 10
Explanation: This situation describes the doctrine of 'res sub-judice', which is codified in Section 10 of the Code of Civil Procedure, 1908. This section mandates that no court shall proceed with the trial of any suit in which the matter in issue is also directly and substantially in issue in a previously instituted suit between the same parties. It stays the subsequent suit.

80. Contributory negligence means
(A) The failure by a person to use reasonable care for the safety of either of himself or his property
(B) Volunteer to pay-for the negligence of others
(C) Contributing the money or money's worth for others wrongs
(D) Inciting others to commit civil wrong.

Ans :

(A) The failure by a person to use reasonable care for the safety of either of himself or his property
Explanation: In tort law, contributory negligence is a defense where the plaintiff, through their own negligence, contributed to the harm they suffered. It refers to the plaintiff's failure to exercise reasonable care for their own safety, which then becomes a concurrent cause of their injuries, potentially reducing or barring their claim for damages.

81. An attachment before judgement order takes away.
(A) Right to ownership
(B) Right to file suit
(C) Power to alienate the property
(D) Capacity of execution of a decree.

Ans :

(C) Power to alienate the property
Explanation: An order of attachment before judgment, under Order XXXVIII of the C.P.C., is an interim measure to secure the plaintiff's claim. It does not take away the defendant's ownership but restricts their power to alienate or dispose of the attached property, ensuring that the property remains available to satisfy any decree that may eventually be passed.

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(C) Section 89
(D) Section 88

Ans :

(C) Section 89
Explanation: Section 89 of the Code of Civil Procedure, 1908, specifically deals with the settlement of disputes outside the court. It empowers the court, where it appears there are elements of a settlement, to formulate the terms and refer the parties to Alternative Dispute Resolution (ADR) mechanisms like arbitration, conciliation, mediation, or Lok Adalat.

63. A solicitor sold certain property to one of his clients. The client subsequently property alleged that the was considerably overvalued and his consent was caused by..... Court considered the relationship between the parties to reach the decision.
(A) Coercion
(B) Misrepresentation
(C) Undue influence
(D) Estoppel

Ans :

(C) Undue influence
Explanation: The relationship between a solicitor and a client is a fiduciary one, where one party is in a position to dominate the will of the other. As per Section 16 of the Indian Contract Act, if such a relationship is used to obtain an unfair advantage, it amounts to undue influence, making the contract voidable at the option of the aggrieved party.

64. Accepting any other satisfaction than the performance originally agreed is known as
(A) reciprocal agreement
(B) reciprocal acceptance
(C) reciprocal accord and satisfaction
(D) accord and satisfaction

Ans :

(D) accord and satisfaction
Explanation: "Accord and satisfaction" is a legal concept in contract law where parties agree to discharge a contract or claim by a new agreement (the accord) and the subsequent performance of that new agreement (the satisfaction). It means accepting a different performance than what was originally promised to settle the obligation.

65. "Where two parties have made a contract which one of them has broken the damage which the other party ought to receive in respect of such breach of contract should be either such as may fairly and reasonably be considered arising naturally i.e. according to the usual course of things from such breach of contract itself or such as may reason- ably be supposed to have been in the contemplation of the parties at the time they made the contract as the probable result of breach of it." In which case the principle was down so:
(A) Clegg vs. Hands
(B) Frost vs. Knight
(C) Kapur Chand vs. Himayat Ali Khan
(D) Hadley vs. Baxendale

Ans :

(D) Hadley vs. Baxendale
Explanation: This passage outlines the two-limb rule for assessing damages for breach of contract, which was famously laid down in the English case of Hadley v. Baxendale. The rule states that damages can be recovered for losses that arise naturally from the breach or were reasonably in the contemplation of both parties at the time of contracting. This principle is codified in Section 73 of the Indian Contract Act.

66. When a misrepresentation has been made, what are the alternative courses open to an aggrieved
(A) He can avoid or rescind the contract
(B) He can affirm the contract and insist on the misrepresentation being made
(C) He can rely upon the misrepresentation, as a defence to an action upon the contract
(D) All of the above

Ans :

(D) All of the above
Explanation: When a contract is induced by misrepresentation, Section 19 of the Indian Contract Act gives the aggrieved party several remedies. They can rescind (avoid) the contract, or they can affirm the contract and insist on being put in the position they would have been in if the representation were true. They can also use it as a defense if sued.

67. "The law of contract is intended to ensure that what a man has been led to expect shall come

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Ans :

(B) Salmond
Explanation: This is the classic definition of a tort provided by the renowned jurist Sir John Salmond in his "Law of Torts." It is a widely accepted definition that effectively distinguishes tort from other civil wrongs like breach of contract or breach of trust by highlighting its key features: being a civil wrong and having unliquidated damages as the primary remedy.

87. Under Section 20 of the M.V. Act if a person is convicted of an offence punishable under Section 189 of the Motor Vehicles Act, the Court shall ordinarily order for
(A) Imposing penalty only
(B) Punishment only
(C) Both punishment and penalty
(D) Disqualification under the act

Ans :

(D) Disqualification under the act
Explanation: Section 189 of the Motor Vehicles Act punishes racing and trials of speed. Section 20 of the Act deals with the power of the convicting court to disqualify a person from holding a driving license. For certain serious offences, including racing, the court is empowered to order such disqualification in addition to any other punishment.

88. "Contravention of Contract Labour Act would not create employment relationship between contract labour and principal establishment." It was so held in which case
(A) SAIL vs. National Union Water front Workers
(B) Bangalore Water Supply and Sewerage Board vs. A. Rajappa
(C) State of U. P. vs. Jai Bir Singh,
(D) Air India Statutory Corporations vs United Labour Union & Ors.

Ans :

(A) SAIL vs. National Union Water front Workers
Explanation: In Steel Authority of India Ltd. (SAIL) v. National Union Waterfront Workers, a Constitution Bench of the Supreme Court overruled its earlier decision in the Air India case. The Court held that a mere contravention of the Contract Labour (Regulation and Abolition) Act, 1970, would not automatically lead to the absorption of contract laborers as direct employees of the principal employer.

89. Order granting anticipatory bail becomes operative
(A) on arrest
(B) prior to arrest
(C) on passing of the order by the Court
(D) none of the above

Ans :

(A) on arrest
Explanation: An order for anticipatory bail under Section 438 of the Cr.P.C. is a pre-arrest direction to the police. While the order is passed before arrest, it becomes operative at the time of arrest. It directs that if the person is arrested on the accusation of a non-bailable offence, they shall be released on bail.

90. If a Quasi-judicial authority violates the principles of natural justice, the appropriate writ would be
(A) Mandamus
(B) Habeas Corpus
(C) Quo warranto
(D) Certiorari

Ans :

(D) Certiorari
Explanation: The writ of certiorari is issued by a higher court to quash an order or decision of a lower court, tribunal, or quasi-judicial authority. One of the primary grounds for issuing this writ is a violation of the principles of natural justice, such as not giving a party a fair hearing (audi alteram partem).

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91. An accomplice is unworthy of credit unless he is corroborated in material particulars is a
(A) presumption of fact
(B) presumption of law
(C) conclusive of proof
(D) none of the above

Ans :

(A) presumption of fact
Explanation: This is a rule of prudence that has crystallized into a rule of practice, but it is legally a presumption of fact. Illustration (b) to Section 114 of the Indian Evidence Act allows a court

(A) Loss arising from accidents like fire or perils of the sea.
Explanation: A contract of indemnity, as defined in Section 124 of the Indian Contract Act, specifically covers losses caused by the conduct of the promisor (indemnifier) or any other person. It does not cover losses arising from accidents or natural events like fire or perils of the sea, which are typically covered by contracts of insurance.

73. The Supreme Court has held that an advocate cannot claim a lien over a litigation file entrusted to him for his fees..... no professional can be given the right to withhold the returnable records relating to the work done by him with his2 clients matter on the strength of any claim for unpaid remuneration. The alternative is the professional concerned can resort to other legal remedies for such unpaid remuneration. Refer to the specific case.
(A) RD Saxena vo. Balram Prasad Sharma
(B) VC Rangadhurai vs D Gopalan
(C) Emperor vs. Dadu Ram
(D) G Naranswamy vs Challapalli

Ans :

(A) RD Saxena vo. Balram Prasad Sharma
Explanation: In the case of R.D. Saxena v. Balram Prasad Sharma, the Supreme Court held that an advocate's right to lien is limited to the client's property that comes into their possession in the course of their professional employment. The Court clarified that litigation files are not 'property' and an advocate cannot retain them to enforce payment of fees.

74. is the process whereby interested partics resolve disputes, agree upon courses of action, bargain for individual or collective advantage, and/ or attempt to craft outcomes which serve their mutual interests.
(A) Expert determination
(B) Arbitration
(C) Conciliation
(D) Negotiation

Ans :

(D) Negotiation
Explanation: Negotiation is a non-binding, voluntary process where parties to a dispute engage in direct communication to resolve their differences and reach a mutually acceptable agreement. It involves bargaining, persuasion, and crafting outcomes that serve mutual interests, without the intervention of a third-party neutral like an arbitrator or conciliator.

75. "The fundamental aim of Legal Ethics is to maintain the honour and dignity of the Law Profession, to secure a spirit of friendly cooperation between the Bench and the Bar in the promotion of highest standards of justice, to establish honourable and fair dealings of the counsel with his client opponent and witnesses; to establish a spirit of brotherhood in the Bar itself; and to secure that lawyers discharge their responsibilities to the community generally." Whose statement is this?
(A) Chief Justice Marshall
(B) Chief Justice Coke
(C) Chief Justice Halsbury
(D) Chief Justice Bacon

Ans :

(A) Chief Justice Marshall
Explanation: This comprehensive statement on the aims of legal ethics, emphasizing the dignity of the profession, cooperation between the bench and bar, and fair dealings, is attributed to Chief Justice Marshall of the United States Supreme Court. His views have profoundly shaped the understanding of professional responsibility and ethics in the legal field.

76. Duty of on advocate towards his client is detailed out in which rules of Bar Council of India
(A) 33 to 38
(B) 11 to 33
(C) 23 to 27
(D) 33 to 36

Ans :

(B) 11 to 33
Explanation: The Bar Council of India Rules, framed under the Advocates Act, 1961, lay down the standards of professional conduct and etiquette. Part VI, Chapter II, Section II, specifically from Rule 11 to Rule 33, details the duties of an advocate towards their client, including obligations of confidentiality, full disclosure, and avoiding conflicts of interest.

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97. "Passive Euthanasia is permitted in certain cases- " held in
(A) Aruna Ramachandran Shanbaug vs Union of India
(B) Gian Kaur vs State of Punjab
(C) P. Rathinam vs Union of India
(D) State of Maharashtra vs. Chandraben

Ans :

(A) Aruna Ramachandran Shanbaug vs Union of India
Explanation: In the landmark 2011 judgment of Aruna Ramachandran Shanbaug v. Union of India, the Supreme Court of India legalized passive euthanasia. The court held that life support could be withdrawn from patients in a permanent vegetative state (PVS), but only under strict guidelines and with the approval of the respective High Court.

98. Which provision under the Industrial Disputes Act, 1947 guarantees the right of workmen laid off to claim for compensation
(A) Section 25-0
(B) Section 26
(C) Section 25-C
(D) Section 25-M

Ans :

(C) Section 25-C
Explanation: Section 25-C of the Industrial Disputes Act, 1947, explicitly provides for the right of a workman, who has completed not less than one year of continuous service, to be paid compensation for being laid-off. The compensation is generally calculated at fifty percent of the total of the basic wages and dearness allowance.

99. H.L.A. Hart's name is associated with the book.
(A) Province and Function of Law
(B) The Concept of Law
(C) Social Dimensions of Law
(D) Theories of Social Change

Ans :

(B) The Concept of Law
Explanation: H.L.A. Hart, a preeminent legal philosopher of the 20th century, is the author of the influential book "The Concept of Law," published in 1961. This work is a cornerstone of modern legal positivism and analytic jurisprudence, in which he develops a sophisticated theory of law as a system of primary and secondary rules.

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100. The contribution payable under the ESI Act in respect of an employee shall comprise of
(A) contribution payable by the employer only
(B) contribution payable by the employee only
(C) contribution payable by government only
(D) contribution payable by employer and employee.

Ans :

(D) contribution payable by employer and employee.
Explanation: The Employees' State Insurance (ESI) Act, 1948, establishes a contributory insurance scheme. Section 39 of the Act specifies that the contribution payable shall comprise a contribution from the employer and a contribution from the employee, which are to be paid at specified rates. The scheme provides medical and cash benefits to employees and their families.

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ALL INDIA BAR EXAMINATION IV

1. In a bailable offence, the bail is granted as a matter of right-
(A) By the police officer
(B) By the Court
(C) Both by the police officer and the Court.
(D) Either (1) or (2)

Ans :

(C) Both by the police officer and the Court.
Explanation: In a bailable offence, bail is a matter of right under Section 436 of the Cr.P.C. The accused person is entitled to be released on bail. This right can be exercised either at the police station, by the officer in charge if the arrest is made without a warrant, or before the court.

2. Which classification of offence under Criminal Procedure comes Code?
(A) Cognizable & non-cognizable
(B) Bailable & non-bailable.
(C) Summons cases & warrant cases
(D) All of the above.

Ans :

(D) All of the above.
Explanation: The Code of Criminal Procedure, 1973, classifies offences in several ways to determine the procedure to be followed. This includes classification based on police powers (cognizable/non-cognizable), the right to bail (bailable/non-bailable), and the trial procedure (summons case/warrant case). All the mentioned classifications are fundamental to the Code's structure.

3. Consumer Protection Act 1986 is predominantly based on UN General resolution with due negotiations in the:
(A) UNCITRAL
(B) UNCTAD
(C) UNECOSOU
(D) None of the above

Ans :

(D) None of the above
Explanation: The Consumer Protection Act, 1986, was enacted based on the guidelines adopted by the United Nations General Assembly (UNGA) in 1985. These guidelines were developed following a report by the United Nations Economic and Social Council (ECOSOC). None of the abbreviated options accurately and fully represent the UN General Assembly which passed the resolution.

4. Non-cognizable offence has been defined
(A) Under Section 2 (a)
(B) Under Section 2 (e)
(C) Under Section 2 (f)
(D) Under Section 2 (l)

Ans :

(D) Under Section 2 (l)
Explanation: Section 2(l) of the Code of Criminal Procedure, 1973, defines a "non-cognizable offence". It means an offence for which a police officer has no authority to arrest without a warrant. In such cases, the police cannot initiate an investigation without the permission of a Magistrate, as per Section 155 of the Cr.P.C.

5. It is mandatory to produce the person arrested before the Magistrate within 24 hours of his arrest under-
(A) Sec. 56 of Cr.P.C.
(B) Sec. 57 of Cr.P.C.
(C) Sec. 58 of Cr.P.C.
(D) Sec. 59 of Cr.P.C.

Ans :

(B) Sec. 57 of Cr.P.C.
Explanation: Section 57 of the Code of Criminal Procedure, 1973, mandates that a person arrested without a warrant shall not be detained in custody for a period longer than 24 hours. This period excludes the time necessary for the journey from the place of arrest to the Magistrate's court, upholding the constitutional safeguard under Article 22(2).

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6. A refused to answer questions put to a witness under section 161 of CrPC is an offence under-
(A) Section 176 I.P.C.
(B) Section 179 I.P.C.
(C) Section 187 I.P.C.
(D) Neither (1) nor (2) nor (3)

Ans :

(B) Section 179 I.P.C.
Explanation: Under Section 161(2) of the Cr.P.C., a person is bound to answer truthfully all questions put to them by a police officer, except those that would tend to incriminate them. Refusing to answer such questions when legally bound to do so is punishable under Section 179 of the Indian Penal Code, 1860.

7. What is the period of appointment of the Comptroller and Auditor- General of India?
(A) 6 years
(B) Up to 65 years of age
(C) 6 years or 65 years of age whichever is earlier
(D) Up to 62 years of age

Ans :

(C) 6 years or 65 years of age whichever is earlier
Explanation: According to Article 148(3) of the Constitution of India and the provisions of the Comptroller and Auditor-General's (Duties, Powers and Conditions of Service) Act, 1971, the Comptroller and Auditor-General (CAG) holds office for a term of six years or until they attain the age of 65 years, whichever is earlier.

8. The Investigating Officer during the investigation records Statements of a witness under-
(A) Sec.160 of CrPC
(B) Sec. 162 of CrPC
(C) Sec. 161 of CrPC
(D) Sec.164 of CrPC

Ans :

(C) Sec. 161 of CrPC
Explanation: Section 161 of the Code of Criminal Procedure, 1973, empowers any police officer making an investigation to examine orally any person supposed to be acquainted with the facts and circumstances of the case. The officer may reduce any statement made by the person into writing, which is commonly known as a "161 statement."

9. Complaint as provided under Section 2 (d) of Cr.P.C.-
(A) Can be in writing only
(B) Can be oral
(C) Either in writing or oral
(D) Can be by gestures.

Ans :

(C) Either in writing or oral
Explanation: Section 2(d) of the Code of Criminal Procedure, 1973, defines a "complaint" as any allegation made orally or in writing to a Magistrate, with a view to their taking action under the Code, that some person has committed an offence. It explicitly includes both oral and written allegations but does not include a police report.

10. Which of the following is relevant fact under Evidence Act, 1872?
(A) facts regarding motive
(B) facts regarding Statement without related conduct
(C) facts regarding Statements clubbed with conduct
(D) facts which make other relevant and fact is highly probable

Ans :

(A) facts regarding motive
Explanation: Section 8 of the Indian Evidence Act, 1872, makes any fact relevant which shows or constitutes a motive or preparation for any fact in issue or relevant fact. Motive is a crucial element that can help establish the reason behind the commission of an act and is therefore considered a highly relevant fact in legal proceedings.

11. Test of competency of witness is:
(A) Her being intelligent
(B) Must be major
(C) Understanding the nature of question
(D) Capable of understanding the nature of question and giving rational answer.

Ans :

(D) Capable of understanding the nature of question and giving rational answer.

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non-profit society and is a premier arbitral institution in India. It was established with the support of the Government of India and from the apex business organizations to promote and popularize arbitration as a means of settling commercial disputes.

46. Lex Arbitri means-
(A) Arbitral Tribunal sitting in India can apply the buy the Singapore;
(B) Just Law
(C) Arbitrary Law
(D) None of these

Ans :

(D) None of these
Explanation: "Lex Arbitri" is a Latin term that means "the law of the arbitration." It refers to the procedural law that governs the conduct of the arbitration proceedings itself, such as the rules for appointing arbitrators, the procedure for the hearing, and the form of the award. None of the provided options correctly define this legal concept.

47. In every plaint, under Section 26 of CPC facts should be proved by:
(A) Oral evidence
(B) Affidavit
(C) Document
(D) Oral evidence as well as document.

Ans :

(B) Affidavit
Explanation: The Code of Civil Procedure (Amendment) Act of 2002 amended Section 26 and introduced Order VI Rule 15(4). These provisions mandate that every plaint and written statement must be accompanied by an affidavit verifying the pleadings. This was done to ensure the veracity of the facts stated and to curb false litigation.

48. Doctrine of Res-judicata as contained in Section 11 of CPC is based on the maxim;
(A) Nemo debet bis vexari pro uno eteadern causa
(B) Interest republicae at sit finis litium
(C) Both (1) & (2)
(D) Either (1) or (2)

Ans :

(C) Both (1) & (2)
Explanation: The doctrine of res judicata is founded on principles of public policy and private justice. It is based on three Roman maxims, including "Interest republicae ut sit finis litium" (it is in the interest of the State that there should be an end to litigation) and "Nemo debet bis vexari pro una et eadem causa" (no man should be vexed twice for the same cause).

49. Foreign Court under Section 2(5) of CPC means:
(A) A Court situated outside India;
(B) A Court situated outside India the authority of Government of India;
(C) A Court situated in India applying foreign law;
(D) All of these

Ans :

(A) A Court situated outside India;
Explanation: Section 2(5) of the CPC defines a "foreign Court" as a Court situated outside India and not established or continued by the authority of the Central Government. While option (A) is partially correct, it omits the second crucial condition. However, among the given choices, it is the most appropriate and direct description of a foreign court.

50. Section 10, Sub-section (i) of the Arbitration & Conciliation Act talks about.
(A) Power of Arbitration
(B) Numbers of Arbitrations
(C) Capacity of Arbitrations
(D) None of the above

Ans :

(B) Numbers of Arbitrations
Explanation: Section 10(1) of the Arbitration and Conciliation Act, 1996, deals with the number of arbitrators. It states that the parties are free to determine the number of arbitrators, provided that such number shall not be an even number. This provision ensures that a deadlock in decision-making by the arbitral tribunal can be avoided.

51. Principle of Res-sub judice is provided in -
(A) Sec. 10 of CPC
(B) Sec.11 of CPC
(C) Sec.13 of CPC
(D) Sec. 14 of CPC

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asserted or denied in any suit or proceeding, necessarily follows. These are the core facts in dispute.

17. Relevant fact is?
(A) Facts logically relevant to any fact in issue.
(B) Facts legally relevant to any fact in issue
(C) Both
(D) None

Ans :

(B) Facts legally relevant to any fact in issue
Explanation: In the context of the Indian Evidence Act, a fact is considered "relevant" if it is legally admissible as per the provisions of the Act (Sections 5 to 55). While a fact might be logically connected to the case, it is only legally relevant if the Evidence Act permits it to be proved.

18. What do you mean by word 'evidence'?
(A) Every fact connected with case
(B) Facts introduced in Court of law
(C) Both
(D) None

Ans :

(B) Facts introduced in Court of law
Explanation: The term 'evidence', as defined in Section 3 of the Indian Evidence Act, refers to the means by which facts are proved in a court of law. It includes all statements which the court permits or requires to be made before it by witnesses (oral evidence) and all documents produced for the inspection of the court (documentary evidence).

19. As a general rule, an agreement made without consideration is.....
(A) Void
(B) Voidable
(C) Valid
(D) Unlawful

Ans :

(A) Void
Explanation: Section 25 of the Indian Contract Act, 1872, lays down the general rule that an agreement made without consideration is void. This principle, "ex nudo pacto non oritur actio" (no action arises from a bare promise), is fundamental to contract law. However, the section itself provides for certain specific exceptions to this rule.

20. Which of the following is correct of a standard form contract?
(A) It is valid contract
(B) The party has no choice but to accept and sign the contract
(C) Both (1) and (2)
(D) The consent is not a free consent

Ans :

(C) Both (1) and (2)
Explanation: Standard form contracts are pre-drafted "take it or leave it" contracts presented by a party with stronger bargaining power. While they are generally considered valid contracts, a key characteristic is that the weaker party has no real opportunity to negotiate the terms; their only choice is to accept or reject the contract as a whole.

21. In famous Carlill vs. Carbolic Smoke Ball Co., (1893) 1 QBD 256, Smoke-Ball the Hob'ble Court held that the Contract was accepted on being..
(A) Communicated
(B) Acted upon
(C) Refused
(D) Advertised

Ans :

(B) Acted upon
Explanation: In this landmark case, the court held that the advertisement was a unilateral offer to the world at large. Acceptance of the offer did not require formal communication; it was completed by the performance of the conditions specified in the offer. Therefore, Mrs. Carlill accepted the offer by acting upon it (i.e., using the smoke ball as directed).

22. A contingent agreement based on an impossible event under Section 36 is-
(A) Void
(B) Voidable
(C) Void till impossible is known
(D) Void when even becomes impossible.

Ans :

(A) Void
Explanation: Section 36 of the Indian Contract Act, 1872, explicitly states that contingent

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agreements to do or not to do anything, if an impossible event happens, are void. This is because the condition precedent for the contract's enforcement can never be fulfilled, rendering the agreement void from the very beginning, regardless of whether the impossibility is known to the parties.

23. The consensus ad-idem means-
(A) General consensus
(B) Reaching an agreement
(C) Meeting of minds upon the same thing in the same sense
(D) All the above

Ans :

(C) Meeting of minds upon the same thing in the same sense
Explanation: "Consensus ad idem" is a Latin term that is a fundamental requirement for a valid contract. It means that the parties to the contract must have a "meeting of the minds," signifying that they have agreed to the same subject matter in the same sense. Without this mutual agreement, there is no valid contract.

24. A jus in personam means a right against-
(A) A specific person
(B) The public at large
(C) A specific thing
(D) None of these

Ans :

(A) A specific person
Explanation: "Jus in personam" is a Latin term for a "right against a person." It refers to a personal right that corresponds to a duty imposed upon a specific, determinate person or group of persons. Contractual rights are a classic example, as they are enforceable only against the other party to the contract.

25. An agreement to remain unmarried is-
(A) Valid
(B) Void
(C) Voidable
(D) Unenforceable

Ans :

(B) Void
Explanation: According to Section 26 of the Indian Contract Act, 1872, every agreement in restraint of the marriage of any person, other than a minor, is void. The law considers the freedom to marry an important aspect of public policy and will not enforce agreements that restrict this freedom for adults.

26. Inadequacy of consideration does not make the contract-
(A) Void
(B) Voidable
(C) Unenforceable
(D) Neither void or voidable

Ans :

(A) Void
Explanation: According to Explanation 2 to Section 25 of the Indian Contract Act, 1872, an agreement is not void merely because the consideration is inadequate. However, the court may take the inadequacy of consideration into account in determining whether the consent of the promisor was freely given. It does not automatically invalidate the contract.

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27. A proposal when accepted becomes-
(A) Promise under Section 2 (b)
(B) Agreement under Section 2 (e)
(C) Contract under Section 2(H)
(D) None of the above

Ans :

(A) Promise under Section 2 (b)
Explanation: Section 2(b) of the Indian Contract Act, 1872, provides the definition of a promise. It states that "When the person to whom the proposal is made signifies his assent thereto, the proposal is said to be accepted. A proposal, when accepted, becomes a promise." This is the foundational step in forming an agreement.

28. Exposure of goods by a shopkeeper is-
(A) Offer for Sale
(B) Invitation to Offer
(C) Offer
(D) Acceptance

Ans :

(B) Invitation to Offer
Explanation: The display of goods with a price tag in a shop is legally considered an "invitation to offer" or an "invitation to treat." It is an invitation for customers to make an offer to buy

the goods. The shopkeeper is not bound to sell the goods; the contract is only formed when the shopkeeper accepts the customer's offer at the counter.

29. Offer under Section 2 (a) is-
(A) Communication from one person to another
(B) Suggestion by one person to another
(C) Willingness to do or abstain from doing an action order to obtain the assent of other thereto.
(D) None of the above

Ans :

(C) Willingness to do or abstain from doing an action order to obtain the assent of other thereto.
Explanation: This phrasing directly reflects the definition of "proposal" (offer) given in Section 2(a) of the Indian Contract Act, 1872. It defines a proposal as when one person signifies to another their willingness to do or to abstain from doing anything, with a view to obtaining the assent of that other to such act or abstinence.

30. An agreement enforceable at law is
(A) Enforceable acceptance
(B) Accepted offer
(C) Approved promise
(D) Contract

Ans :

(D) Contract
Explanation: This is the precise definition of a "contract" as provided by Section 2(h) of the Indian Contract Act, 1872. The section states: "An agreement enforceable by law is a contract." This highlights the two essential components of a contract: an agreement between parties and its legal enforceability.

31. An agreement shall be void for-
(A) Mistake of fact by one party
(B) Mistake of fact by both the parties
(C) Mistake of foreign law.
(D) All the above

Ans :

(B) Mistake of fact by both the parties
Explanation: According to Section 20 of the Indian Contract Act, 1872, an agreement is void where both parties are under a mistake as to a matter of fact essential to the agreement. A unilateral mistake (by one party) under Section 22 does not generally render a contract voidable. A mistake of foreign law is treated as a mistake of fact.

32. Which the following is the correct Statement:
(A) Under Sec. 7 the suit may be for recovery of special movable property or, in the alternative for compensation.
(B) Under Sec. 7 pecuniary compensation is not an adequate relief to the plaintiff for the loss of the article and the relief prayed is for injunction restraining the defendant from disposing of the article or otherwise injuring or concealing it, or for return of the same.
(C) Both (1) and (2) are correct
(D) All are incorrect.

Ans :

(A) Under Sec. 7 the suit may be for recovery of special movable property or, in the alternative for compensation.
Explanation: Section 7 of the Specific Relief Act, 1963, allows a person entitled to the possession of specific movable property to recover it in the manner provided by the Code of Civil Procedure. The decree may be for the delivery of the property or, in the alternative, for monetary compensation if delivery cannot be had.

33. Void agreement signifies
(A) Agreement illegal in nature
(B) Agreement not enforceable by law
(C) Agreement violating legal procedure
(D) Agreement against public policy

Ans :

(B) Agreement not enforceable by law
Explanation: According to Section 2(g) of the Indian Contract Act, 1872, a void agreement is defined as "an agreement not enforceable by law." Such an agreement has no legal effect from the very beginning (void ab initio) and does not create any legal rights or obligations between the parties.

34. Transfer of Property Act, 1882 unborn person acquires vested interest on transfer for his benefit under Transfer of Property Act.
(A) Upon his birth

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Explanation: According to Section 118 of the Indian Evidence Act, 1872, all persons are competent to testify unless the court considers that they are prevented from understanding the questions put to them, or from giving rational answers to those questions, by tender years, extreme old age, disease, or any other cause of the same kind.

12. A Statement of a witness recorded under section 161 of Cr.P.C. in writing during investigation and is signed by the person making the Statement is hit by:
(A) Sec. 161(2) of CrPC
(B) Sec. 161(3) of CrPC
(C) Sec.162(1) of CrPC
(D) Sec.162(2) of CrPC

Ans :

(C) Sec.162(1) of CrPC
Explanation: The first proviso to Section 162(1) of the Code of Criminal Procedure explicitly bars the signing of any statement made by a person to a police officer during an investigation. This provision is intended to prevent police coercion and ensure that the statement recorded is a true representation of what the witness said, without the binding effect of a signature.

13. Communication between husband and wife is treated as privileged if communication
(A) Was made during marriage with promise of confidentiality.
(B) Was made during marriage, even without promise of confidentiality.
(C) Was made before marriage with promise of confidentiality.
(D) Is made after marriage.

Ans :

(B) Was made during marriage, even without promise of confidentiality.
Explanation: Section 122 of the Indian Evidence Act, 1872, protects marital communications. A person cannot be compelled to disclose any communication made to them during the marriage by their spouse. The privilege applies simply by virtue of the communication being made during the subsistence of the marriage; a promise of confidentiality is not required.

14. Leading questions can be asked even without permission of Court during
(A) Examination-in-Chief
(B) Cross Examination
(C) Re-Examination.
(D) All of the above

Ans :

(B) Cross Examination
Explanation: According to Section 143 of the Indian Evidence Act, 1872, leading questions (questions which suggest the answer) may be asked during cross-examination. In contrast, Section 142 states that such questions must not, if objected to by the adverse party, be asked in an examination-in-chief or in a re-examination, except with the permission of the Court.

15. Which one is exception as rule of hearsay evidence?
(A) dying declaration
(B) facts forming part of same transaction
(C) facts forming plea of alibi
(D) facts regarding character of accuse

Ans :

(A) dying declaration
Explanation: The rule against hearsay evidence states that out-of-court statements cannot be used to prove the truth of the matter asserted. However, there are several exceptions. A dying declaration, admissible under Section 32(1) of the Indian Evidence Act, is a prominent and well-established exception to this rule, as the law presumes a person at the point of death will speak the truth.

16. What is fact in issue?
(A) Facts involved indirectly
(B) Necessary facts to arrive or determine rights, liability or community
(C) Both
(D) None

Ans :

(B) Necessary facts to arrive or determine rights, liability or community
Explanation: As defined in Section 3 of the Indian Evidence Act, a “fact in issue” is any fact from which, either by itself or in connection with other facts, the existence, non-existence, nature, or extent of any right, liability, or disability,

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or to bearer. The section provides an inclusive definition, covering these three primary types of instruments.

40. In India the Arbitration & Conciliation Act was enacted in -
(A) 1992
(B) 1993
(C) 1994
(D) 1996

Ans :

(D) 1996
Explanation: The Arbitration and Conciliation Act was enacted by the Parliament of India in 1996. This Act was a comprehensive piece of legislation designed to consolidate and amend the law relating to domestic arbitration, international commercial arbitration, and enforcement of foreign arbitral awards. It is largely based on the UNCITRAL Model Law on International Commercial Arbitration.

41. Judgment under Section 2(9) means:
(A) A decree
(B) Dismissal of an appeal
(C) Statement of ground of an order or decree
(D) All the above.

Ans :

(C) Statement of ground of an order or decree
Explanation: Section 2(9) of the Code of Civil Procedure, 1908, provides a precise definition of a "judgment." It states that a judgment means the statement given by the Judge of the grounds of a decree or order. It is the reasoning of the court that leads to the final decree or order.

42. Indian Bar Committee was constituted first time under the Chairmanship of Sir Adward Charmier in the year
(A) 1927
(B) 1961
(C) 1949
(D) 1923

Ans :

(D) 1923
Explanation: In 1923, the Government of India appointed the Indian Bar Committee, popularly known as the Chamier Committee, under the chairmanship of Sir Edward Chamier. The committee was tasked with examining the issues of the organization and unification of the different grades of legal practitioners into a single, self-governing Bar for all of India.

43. When was the Advocate Act introduced?
(A) 1962
(B) 1959
(C) 1961
(D) 1966

Ans :

(C) 1961
Explanation: The Advocates Act, which consolidated the law relating to legal practitioners and provided for the constitution of Bar Councils and an All-India Bar, was enacted by the Parliament of India in 1961. It was a landmark legislation that implemented the recommendations of the All India Bar Committee and Law Commission for a unified bar.

44. Power of Disciplinary Comimetic under the Advocate Act is provided under;
(A) Section 42
(B) Section 53
(C) Section 40
(D) Section 36

Ans :

(A) Section 42
Explanation: Section 42 of the Advocates Act, 1961, grants the disciplinary committee of a Bar Council the same powers as are vested in a civil court under the Code of Civil Procedure, 1908. This includes powers for summoning witnesses, requiring discovery of documents, receiving evidence on affidavits, and issuing commissions for the examination of witnesses.

45. The Indian Council of Arbitration was established in:
(A) 1956
(B) 1976
(C) 1965
(D) 1996

Ans :

(C) 1965
Explanation: The Indian Council of Arbitration (ICA) was established in 1965. It is a registered

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(B) 7 days after his birth
(C) 12 days after his birth
(D) None of all

Ans :

(A) Upon his birth
Explanation: According to Section 20 of the Transfer of Property Act, 1882, where an interest is created for the benefit of an unborn person, that person acquires a vested interest upon their birth. Although their enjoyment of the property may be postponed, the legal right to the interest vests in them immediately at birth.

35. Which section of Transfer of Property Act deals with onerous gift?
(A) Section 127
(B) Section 126
(C) Section 125
(D) Section 124

Ans :

(A) Section 127
Explanation: Section 127 of the Transfer of Property Act, 1882, deals with the concept of an "onerous gift." This refers to a gift that is subject to a burden or obligation. The section provides that the donee must accept the gift along with its burden and cannot accept the beneficial part while rejecting the onerous part.

36. Which of the following Statement is incorrect?
(A) Specific Relief Act, 1963, extends to the whole of India except State of Jammu and Kashmir
(B) Specific performance is granted where there exists no standard for ascertaining damage.
(C) Where the aggrieved party can be adequately compensated in money, he will get only a decree for damages and not the recourse to
(D) None of the above

Ans :

(D) None of the above
Explanation: Statement (A) was correct prior to 2019. Statement (B) is a ground for granting specific performance under Section 10. Statement (C) correctly states the general principle that specific performance is not granted when monetary damages are adequate. Since all statements describe correct legal principles at the time, "None of the above" is the appropriate choice for an incorrect statement.

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37. The Bar Council of India consist of following as ex-officio member
(A) Attorney General of India
(B) Solicitor General of India
(C) Both 1 & 2
(D) None of the above

Ans :

(C) Both 1 & 2
Explanation: According to Section 4(1)(a) of the Advocates Act, 1961, the Bar Council of India shall consist of the Attorney-General of India and the Solicitor-General of India as ex-officio members. This ensures that the two highest law officers of the country are part of the apex regulatory body for the legal profession.

38. The Negotiable Instrument Act, 1881 came into force on-
(A) 9th December, 1881
(B) 19th December, 1881
(C) 1st March, 1882
(D) None of the above

Ans :

(C) 1st March, 1882
Explanation: Although the Negotiable Instruments Act was passed in 1881, its enforcement date was set for a later time. Section 1 of the Act specifies that it shall come into force on the first day of March, 1882. This provided a gap between enactment and enforcement to allow for preparation and dissemination of the new law.

39. The term 'Negotiable instrument' is defined in the Negotiable Instrument Act, 1881.
(A) Section 12
(B) Section 13
(C) Section 13-A
(D) Section 13-B

Ans :

(B) Section 13
Explanation: Section 13(1) of the Negotiable Instruments Act, 1881, defines a "negotiable instrument." It states that a negotiable instrument means a promissory note, bill of exchange, or cheque payable either to order

Ans :

(A) Sec. 10 of CPC
Explanation: The principle of "res sub judice," which means "a matter under judicial consideration," is embodied in Section 10 of the Code of Civil Procedure, 1908. This section bars a court from trying a suit where the matter in issue is also directly and substantially in issue in a previously instituted suit between the same parties.

52. A suit for damages for breach of contract can be filed at a place:
(A) Where the contract was made;
(B) Where the contract was to be performed or breach occurred;
(C) Anywhere in India;
(D) Both (1) and (2)

Ans :

(D) Both (1) and (2)
Explanation: According to Section 20 of the Code of Civil Procedure, a suit can be filed where the defendant resides or where the cause of action, wholly or in part, arises. In a breach of contract suit, the cause of action arises at the place where the contract was made and also at the place where it was to be performed or was breached.

53. Limitation Act is applicable to
(A) Civil suits
(B) Criminal cases
(C) Both of the following is correct
(D) Civil, all the above

Ans :

(A) Civil suits
Explanation: The Limitation Act, 1963, primarily applies to civil proceedings. It prescribes time limits for instituting suits, appeals, and certain applications in civil courts. While the Code of Criminal Procedure has its own provisions for limitation in taking cognizance of certain offences, the Limitation Act, 1963, as a whole, does not apply to criminal prosecutions.

54. Principle of Res-judicata applies;
(A) Between Co-defendants
(B) Between Co-plaintiffs
(C) Both (1) & (2)
(D) Neither (1) & (2)

Ans :

(C) Both (1) & (2)
Explanation: The principle of res judicata can apply between co-plaintiffs and co-defendants, provided certain conditions are met. There must be a conflict of interest between them, it must be necessary to decide that conflict to give relief to the plaintiff, and the question between them must have been finally decided.

55. Validity of a foreign judgment can be challenged under Section 13 of CPC;
(A) In a civil Court only
(B) In a criminal Court only,
(C) In both civil and criminal Court
(D) Neither in civil nor in criminal Court

Ans :

(A) In a civil Court only
Explanation: Section 13 of the Code of Civil Procedure deals with the recognition and enforceability of foreign judgments in civil matters. The validity of such a judgment can be challenged in an Indian civil court on the grounds specified in that section, such as the judgment not being from a competent court or being obtained by fraud.

56. Under Section 15 of CPC, every suit shall be instituted in:
(A) The District Court
(B) The Court of the lowest grade
(C) The Court of higher grade
(D) All of the above

Ans :

(B) The Court of the lowest grade
Explanation: Section 15 of the Code of Civil Procedure lays down a fundamental rule of jurisdiction. It mandates that every suit shall be instituted in the Court of the lowest grade competent to try it. This rule is designed to prevent higher courts from being overburdened with suits that could be adjudicated by lower courts.

57. 'X' residing in Delhi, publishes Statements defamatory to "Y" in Calcutta, "Y" can sue "X" at:
(A) Delhi
(B) Calcutta;
(C) Anywhere in India

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(D) Either in Delhi or in Calcutta

Ans :

(D) Either in Delhi or in Calcutta
Explanation: According to Section 19 of the Code of Civil Procedure, a suit for compensation for a wrong done to a person, such as defamation, can be filed at the option of the plaintiff either in the court where the defendant resides (Delhi) or where the wrong was committed (Calcutta, where the statements were published).

58. Which of the following clause from Memorandum of Association cannot be amended?
(A) Objects Clause
(B) Liability Clause
(C) Association Clause
(D) Registered office clause

Ans :

(C) Association Clause
Explanation: The Association or Subscription Clause is the final clause of the Memorandum of Association. It contains the declaration by the subscribers that they desire to form a company and agree to take shares. Since this clause represents the very act of formation by the original subscribers, it is considered unalterable.

59. The existence of statutes of limitation are due to:
(A) Long dormant claims have more of cruelty than justice in them
(B) The defendant may have lost the evidence to dispute the stale claim
(C) Persons with good causes of action should pursue them with reasonable diligence
(D) All the above

Ans :

(D) All the above
Explanation: The statutes of limitation are based on principles of public policy and private justice. They aim to ensure that plaintiffs act diligently, prevent the litigation of stale claims where evidence may be lost, and provide finality and repose to defendants. All the reasons listed are valid justifications for the existence of limitation laws.

60. Right of private defence of the body extends to voluntary causing death if the offence, which is occasions the exercise of right:
(A) Reasonably causes apprehension that death will be caused
(B) Reasonably causes apprehension that simple injury will be caused
(C) Is of escaping with stolen property immediately after the theft
(D) Is of arresting a person who is running away after having committed an offence of voluntarily causing hurt

Ans :

(A) Reasonably causes apprehension that death will be caused
Explanation: Section 100 of the Indian Penal Code specifies the circumstances under which the right of private defence of the body extends to causing death. The first and foremost condition is an assault which reasonably causes the apprehension that death will otherwise be the consequence of such assault. Other conditions include apprehension of grievous hurt, rape, and kidnapping.

61. Under Section 498 A, the 'Cruelty' means and includes:
(A) Only demand of down
(B) Only physical torture
(C) Both mental & physical torture
(D) None of the above

Ans :

(C) Both mental & physical torture
Explanation: The explanation to Section 498A of the IPC defines 'cruelty' broadly. It includes any wilful conduct likely to drive the woman to suicide or cause grave injury to her life, limb, or health (which can be mental or physical), and also includes harassment for an unlawful demand for property or dowry.

62. Free transferability of shares is mandatory in a-
(A) Listed Company
(B) Company Ltd. By shares
(C) Public Ltd. Company
(D) Foreign Company

Ans :

(C) Public Ltd. Company

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Explanation: One of the defining characteristics of a public limited company, as per the Companies Act, is the free transferability of its shares. In contrast, a private limited company must, by its articles, restrict the right to transfer its shares. This free transferability in public companies facilitates liquidity and investment from the general public.

63. Upon failure to hold Statutory Meeting, the penalty for defaulting Company shall be-
(A) Rs. 500 per day of default
(B) Wound up
(C) Rs.1000 per day of the default
(D) None of these

Ans :

(B) Wound up
Explanation: Under the Companies Act, 1956 (which was relevant at the time), failure to hold the statutory meeting or file the statutory report was a specific ground upon which the company could be ordered to be compulsorily wound up by the court under Section 433. While fines existed, winding up was a significant potential penalty.

64. What is the offence where preparation itself of a offence is punishable:
(A) Theft
(B) Dacoity
(C) Murder
(D) Rape

Ans :

(B) Dacoity
Explanation: Generally, the mere preparation to commit an offence is not punishable. However, there are exceptions for very grave offences. Section 399 of the Indian Penal Code makes the preparation to commit dacoity a punishable offence in itself, reflecting the serious nature of this crime which involves five or more persons.

65. 'Fiction Theory' is related to which of the following concepts?
(A) Ownership
(B) Liability
(C) Justice
(D) Legal personality

Ans :

(D) Legal personality
Explanation: The Fiction Theory, primarily associated with the jurist Savigny, is a theory concerning the legal personality of corporations. It posits that a corporation is not a real person but an artificial or fictitious entity created by law. It has a legal personality distinct from its members, but this personality is a mere fiction of law.

66. In the IPC, nothing is an offence which is done by a child under:
(A) Eight years
(B) Ten years
(C) Seven years
(D) Twelve years

Ans :

(C) Seven years
Explanation: Section 82 of the Indian Penal Code embodies the principle of "doli incapax." It provides an absolute immunity from criminal liability by stating that nothing is an offence which is done by a child under seven years of age. The law conclusively presumes that such a child is incapable of forming the necessary criminal intent.

67. Who described Jurisprudence as Lawyer's Extra version?
(A) Savigny
(B) Salmond
(C) Julius Stone
(D) Buckland

Ans :

(C) Julius Stone
Explanation: Julius Stone, a prominent jurist, described jurisprudence as the "lawyer's extraversion." By this, he meant that jurisprudence is the lawyer's examination of the precepts, ideals, and techniques of the law in the light derived from present knowledge in disciplines other than the law. It involves looking at law from an external, interdisciplinary perspective.

68. A Sunni Muslim marries with Kitabya girl, the marriage is:
(A) Valid
(B) Void
(C) Irregular

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Explanation: The Supreme Court has consistently held that "equality before the law" under Article 14 does not mean absolute equality. It permits reasonable classification. The principle means that the law should be applied equally to all persons who are similarly situated and that there should be no discrimination between one person and another if their circumstances are the same.

91. The father of which of the leader has been the Deputy Prime Minister of India?
(A) Kumari Mayawati
(B) Mrs. Meera Kumar
(C) Mrs. Pratibh Singh Patil
(D) Mrs. Vasundhara Raje

Ans :

(B) Mrs. Meera Kumar
Explanation: Meira Kumar, a prominent Indian politician and the first woman Speaker of the Lok Sabha, is the daughter of the late Jagjivan Ram. Jagjivan Ram was a distinguished leader and a key figure in Indian politics for decades, serving as the Deputy Prime Minister of India from 1977 to 1979 in the Janata Party government.

92. The concept of 'Judicial Review in India is based on:
(A) Procedure established by law;
(B) Due process of law;
(C) Rule of law;
(D) International treaties and convention

Ans :

(C) Rule of law;
Explanation: Judicial review is the power of the judiciary to examine the constitutionality of legislative and executive actions. This power is considered a fundamental aspect of the "Rule of Law," as it ensures that the government acts within the confines of the law and that the law itself is compliant with the Constitution, the supreme law of the land.

93. Who has the power to dissolve the Lok Sabha
(A) President
(B) Prime Minister
(C) Speaker of Lok Sabha
(D) Council of Ministers

Ans :

(A) President
Explanation: According to Article 85(2)(b) of the Constitution of India, the President has the authority to dissolve the Lok Sabha. This power is exercised by the President on the advice of the Prime Minister and the Council of Ministers. The dissolution marks the end of the term of the House, necessitating fresh general elections.

94. Protection of environment is a:
(A) Constitutional Duty
(B) Directive Principle
(C) Fundamental Duty
(D) Both (2) & (3)

Ans :

(D) Both (2) & (3)
Explanation: The protection of the environment is enshrined in the Constitution of India as both a Directive Principle of State Policy and a Fundamental Duty. Article 48A directs the State to protect and improve the environment, while Article 51A(g) imposes a fundamental duty on every citizen to protect and improve the natural environment.

95. The item 'Education' belongs to the:
(A) Union List
(B) State List
(C) Concurrent List
(D) Residuary Subject.

Ans :

(C) Concurrent List
Explanation: Originally, 'Education' was a subject under the State List. However, through the 42nd Constitutional Amendment Act of 1976, it was moved to the Concurrent List. This allows both the Central and State governments to legislate on matters related to education, enabling a more coordinated national policy while retaining state-level control.

96. Who was the Constitutional Advisor to the Constituent Assembly of India?"
(A) Dr. Rajendra Prasad
(B) Dr. B.R. Ambedkar
(C) B.N. Rao
(D) Jawaharlal Nehru.

Ans :

(C) B.N. Rao

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74. Who categorized the subject of 'jurisprudence' expositorial & censorial Jurisprudence?
(A) Holland
(B) Bentham
(C) Kelsen
(D) Paton

Ans :

(B) Bentham
Explanation: Jeremy Bentham, an English jurist and philosopher, was the first to analyze law in this manner. He distinguished between "expositorial jurisprudence" (what the law is) and "censorial jurisprudence" (what the law ought to be). This distinction laid the groundwork for later legal positivists who sought to separate law from morality.

75. In Rex vs. Govinda the points of distinction between the two provisions of the IPC were explained:
(A) Section 34 and Section 149
(B) Section 302 and Section 304
(C) Section 299 and Section 300
(D) Section 403 and Section 405

Ans :

(C) Section 299 and Section 300
Explanation: The case of Reg v. Govinda is a landmark judgment that clarifies the fine distinction between "culpable homicide" as defined in Section 299 of the IPC and "murder" as defined in Section 300. Justice Melvill lucidly explained the differences in the degree of intent or knowledge required for each offence, a distinction that remains crucial in criminal law.

76. The Trade Union Act provide for:
(A) registration of trade union
(B) registration of trade union for workers
(C) recognition of registration of trade union as Juristic Persons
(D) All of the above

Ans :

(A) registration of trade union
Explanation: The primary purpose of the Trade Unions Act, 1926, is to provide for the registration of Trade Unions. Upon registration, a trade union becomes a body corporate and a juristic person, but the act's core provision is the mechanism for registration itself, which confers certain rights, immunities, and legal status upon the union.

77. Maxim delegatus non potest del' means?
(A) A delegate can further delegate
(B) A delegate cannot further delegate
(C) A delegate must protest delegation objectively
(D) None of the above

Ans :

(B) A delegate cannot further delegate
Explanation: The Latin maxim "Delegatus non potest delegare" means "a delegate cannot further delegate." It is a fundamental principle in administrative law which states that a person or body to whom a power or function has been delegated by a higher authority cannot, in turn, delegate that power or function to another, unless expressly or impliedly authorized to do so.

78. The term "Lock-out" under the Industrial Dispute Act is defined in:
(A) Section 2(1)
(B) Section 2 (0)
(C) Section 3(1)
(D) Section 2 (M)

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Ans :

(A) Section 2(1)
Explanation: The term "lock-out" is defined in Section 2(l) of the Industrial Disputes Act, 1947. It is described as the temporary closing of a place of employment, the suspension of work, or the refusal by an employer to continue to employ any number of persons employed by him. It is the employer's counterpart to a workers' strike.

79. Supremacy of law, Equality before law, and predominance of legal Spirit are the basic principles of doctrine of
(A) Colorable Legistaltion;
(B) Doctrine of 'Separation of Powers'
(C) Doctrine of 'Rule of Law'
(D) Doctrine of 'Excessive delegation'

Ans :

(C) Doctrine of 'Rule of Law'
Explanation: These three concepts are the core pillars of the doctrine of the "Rule of Law" as famously articulated by the British jurist

A.V. Dicey. The doctrine posits that no one is above the law (supremacy of law), everyone is subject to the same law (equality before law), and constitutional principles arise from judicial decisions (predominance of legal spirit).

80. The Trade Union Act was enacted:
(A) 1926
(B) 1946
(C) 1947
(D) 1988

Ans :

(A) 1926
Explanation: The Trade Unions Act was enacted by the legislature of British India in 1926. It was a significant piece of labour legislation that provided for the registration of trade unions and, in doing so, conferred a legal and corporate status on registered unions, along with granting them certain immunities from civil and criminal liability.

81. The term "Lay-off" has been defined under the Industrial Disputes Act:
(A) Section 2 (KKK)
(B) Section 2 (0)
(C) Section 2(1)
(D) Section 3 (1)

Ans :

(A) Section 2 (KKK)
Explanation: The term "lay-off" is defined in Section 2(kkk) of the Industrial Disputes Act, 1947. It refers to the failure, refusal, or inability of an employer to give employment to a workman whose name is on the muster rolls, due to reasons such as shortage of coal, power, raw materials, or breakdown of machinery.

82. Which of the following is untrue. regarding qualification for a person to be admitted on the State rolls maintained by State Bar Councils
(A) The minimum age of requirement is 21 years.
(B) He must be an Indian Citizen
(C) He must not have been convicted of an offence involving moral turpitude
(D) They must not have been convicted of an offence under the provisions of the Untouchability (Offences) Act, 1958

Ans :

(B) He must be an Indian Citizen
Explanation: While most conditions listed are generally required, Section 24 of the Advocates Act, 1961, does not restrict enrollment solely to Indian citizens. It allows for a national of any other country to be admitted as an advocate if citizens of India are permitted to practice law in that other country, subject to reciprocity.

83. The term "Minimum Wage" has been described in:
(A) The Trade Union Act
(B) The Industrial Dispute Act
(C) The Minimum Wage Act
(D) None of the above

Ans :

(C) The Minimum Wage Act
Explanation: The term "minimum wage" is central to the Minimum Wages Act, 1948. While the Act does not provide a single, concise definition of the term itself, it empowers the appropriate government to fix minimum rates of wages for scheduled employments. The entire statute is dedicated to the description, fixation, and enforcement of minimum wages.

84. "Rule of Law is antithesis of arbitrariness in all civilized societies, It has come to be regarded as mark of a free society It seeks to maintain the balance between the opposite notions of individual liberty and public order this was opined by whom in famous "Habeas Corpus" case?
(A) Justice H.R. Khanna
(B) Chief Justice Ray
(C) Justice Chandrnchud
(D) Justice Bhagawati

Ans :

(A) Justice H.R. Khanna
Explanation: This powerful statement on the Rule of Law was made by Justice H.R. Khanna in his celebrated dissenting opinion in the case of ADM Jabalpur v. Shivkant Shukla, also known as the Habeas Corpus case. He famously argued that the right to life and personal liberty could not be suspended even during an emergency, upholding the supremacy of law against arbitrary executive action.

85. The Consumer Protection Act was enacted in:

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(A) 1985
(B) 1986
(C) 2005
(D) 2008

Ans :

(B) 1986
Explanation: The Consumer Protection Act was a landmark piece of legislation enacted by the Parliament of India in 1986. It aimed to provide better protection for the interests of consumers and established a three-tier quasi-judicial machinery at the District, State, and National levels for the speedy and inexpensive redressal of consumer grievances.

86. Appeal against the award of Claims Tribunals under the Motor Vehicles Act, 1988 can be made under:
(A) Section 171
(B) Section 172
(C) Section 173
(D) Section 174

Ans :

(C) Section 173
Explanation: Section 173 of the Motor Vehicles Act, 1988, provides for the right to appeal against an award of a Claims Tribunal. It allows any person aggrieved by an award to prefer an appeal to the High Court, subject to certain conditions, such as the amount in dispute and a mandatory deposit of a portion of the awarded amount.

87. The amendment in Motor Vehicles Act in 1994, the compensation in case of death of the person is:
(A) Rs.25,000
(B) Rs. 50,000
(C) Rs. 70,000
(D) Rs.90,000

Ans :

(B) Rs. 50,000
Explanation: The Motor Vehicles Act was amended in 1994 to introduce the concept of "no-fault liability" for compensation in case of death or permanent disablement in certain road accidents. Section 140 was amended to provide a fixed compensation amount of Rs. 50,000 in case of death, payable without the need to prove any fault on the part of the driver.

88. Under the vicarious liability, the liability is
(A) Joint
(B) Several
(C) Both (1) and (2)
(D) Either of the above depending upon facts and circumstances of the case

Ans :

(C) Both (1) and (2)
Explanation: In cases of vicarious liability, such as that of a master for the torts of their servant, the liability of the master and the servant is joint and several. This means the injured party can sue either the servant (the primary tortfeasor) or the master, or both of them together, to recover the full amount of damages.

89. In Torts, in case of Defamation;
(A) Intention to defame is not necessary
(B) Intention to defame is necessary
(C) Both (1) and (2)
(D) Either (1) or (2)

Ans :

(A) Intention to defame is not necessary
Explanation: In the tort of defamation, the test is objective. What matters is whether the statement published would be considered defamatory by a reasonable person, not whether the publisher intended to defame the plaintiff. Liability can arise even if the defamation was unintentional, as seen in cases of mistaken identity, making intent not a necessary element.

90. While interpreting the phrase "equality before the law" contained in Article 14 of the Constitution, the Supreme Court constantly maintained that equality means:
(A) Absolute equality among human beings
(B) Equal treatment to all persons
(C) Among equals, the law should be equal and should be equal and should be equally administered
(D) Both (2) & (3)

Ans :

(C) Among equals, the law should be equal and should be equal and should be equally administered

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(D) None of these

Ans :

(A) Valid
Explanation: Under Hanafi (Sunni) law, a marriage between a Muslim male and a "Kitabya" (a woman who believes in a revealed religion with a sacred book, like Christianity or Judaism) is considered valid. It is not void (batil) or irregular (fasid). The children from such a marriage are considered legitimate.

69. The Dissolution of Muslim Marriage Act, 1939 is based on which School of Muslim-
(A) Hanafi School
(B) Shafi School
(C) Maliki School
(D) Zaidi School

Ans :

(C) Maliki School
Explanation: The Dissolution of Muslim Marriages Act, 1939, codified the grounds on which a Muslim woman could seek divorce. While the majority of Muslims in India follow the Hanafi school, which had limited grounds for women, this Act incorporated more liberal principles from the Maliki school to provide greater relief to Muslim women seeking dissolution of marriage.

70. A child born of void and voidable marriage under Hindu law is:
(A) Legitimate
(B) Illegitimate
(C) Illegal
(D) None of these

Ans :

(A) Legitimate
Explanation: Section 16 of the Hindu Marriage Act, 1955, grants legitimacy to children born of void and voidable marriages. This provision is a social welfare measure designed to protect the status of innocent children from being affected by the invalidity of their parents' marriage, although their inheritance rights may be limited to their parents' property.

71. Which of the following is the time limit given under Section 17 of the Transfer of Property Act, 1882?
(A) Life of the transferee
(B) A period of 18 years from the date of transfer
(C) Either (A) or (B) whichever is longer
(D) Neither (A) nor (B)

Ans :

(C) Either (A) or (B) whichever is longer
Explanation: Section 17 of the Transfer of Property Act, 1882, provides for the rule against accumulation of income. It states that a direction for accumulation of income from property is valid only for a period no longer than the life of the transferor or a period of eighteen years from the date of the transfer.

72. Under the Hindu Adoption and Maintenance Act, 1956 a female Hindu has the capacity to take a son or daughter in adoption if:
(A) She is not married
(B) She is married
(C) She is widow and has no son or daughter but has a widowed daughter in-law
(D) She cannot adopt at ali

Ans :

(A) She is not married
Explanation: According to Section 8 of the Hindu Adoptions and Maintenance Act, 1956, any female Hindu who is of sound mind and is not a minor has the capacity to take a son or daughter in adoption if she is not married, or if her marriage has been dissolved, or if her husband is dead. A married woman generally cannot adopt on her own.

73. A has sexual intercourse with his own wife aged about 14 years with her consent A committed:
(A) No offence
(B) Offence of Rape
(C) Intercourse with own wife is not Rape.
(D) As there was consent hence A cannot be held guilty for the offence rape

Ans :

(B) Offence of Rape
Explanation: At the time this exam was conducted, the exception to Section 375 of the IPC protected a husband from the charge of rape if his wife was above 15 years of age. Since the wife in this scenario is 14 years old, the exception does not apply, and the act constitutes statutory rape, regardless of her consent.

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Explanation: Sir Benegal Narsing Rau (B.N. Rau) served as the Constitutional Advisor to the Constituent Assembly of India. A distinguished jurist and civil servant, he played a pivotal role by preparing the initial draft of the Constitution in February 1948, which formed the basis for the subsequent deliberations and drafting by the Drafting Committee.

97. Which of the following writs is a bulwark of personal freedom?
(A) Quo Warranto
(B) Mandamus
(C) Habeas Corpus
(D) Certiorari

Ans :

(C) Habeas Corpus
Explanation: The writ of Habeas Corpus, which literally means "to have the body," is considered the most important writ for safeguarding personal liberty. It is a judicial order directing a person who has detained another to produce the detained person before the court to examine the legality of the detention. It serves as a powerful check against illegal and arbitrary arrests.

98. Which one of the following Fundamental Rights was described by Dr. B.R. Ambedkar as the heart and soul of the Constitution"?
(A) Rights of equality
(B) Rights, to Freedom of Religion
(C) Rights to Constitutional Remedies
(D) All the above

Ans :

(C) Rights to Constitutional Remedies
Explanation: Dr. B.R. Ambedkar described Article 32, which guarantees the Right to Constitutional Remedies, as the "heart and soul" of the Constitution. He emphasized that this right is fundamental because it provides the mechanism for citizens to approach the Supreme Court directly for the enforcement of their other Fundamental Rights, making those rights real and effective.

99. The number of Fundamental Rights available in Constitution of India are:
(A) Six
(B) Seven
(C) Eight
(D) Ten

Ans :

(A) Six
Explanation: The Constitution of India currently guarantees six categories of Fundamental Rights. Originally, there were seven, but the Right to Property was removed from the list of Fundamental Rights by the 44th Amendment Act in 1978 and was made a constitutional right under Article 300-A. The six rights are: Equality, Freedom, Against Exploitation, Freedom of Religion, Cultural and Educational Rights, and Constitutional Remedies.

100. The Minimum Wages Act was enacted":
(A) 1921
(B) 1923
(C) 1947
(D) 2007

Ans :

(C) 1947
Explanation: The Minimum Wages Act was enacted in 1948, not 1947. This is a common point of confusion. Given the options, 1947 is the closest year and may be the intended answer in the context of the exam. The Act provides for fixing minimum rates of wages in certain employments. Note: The provided answer key marks this as "Grace", likely acknowledging the error in options as the correct year is 1948.

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